

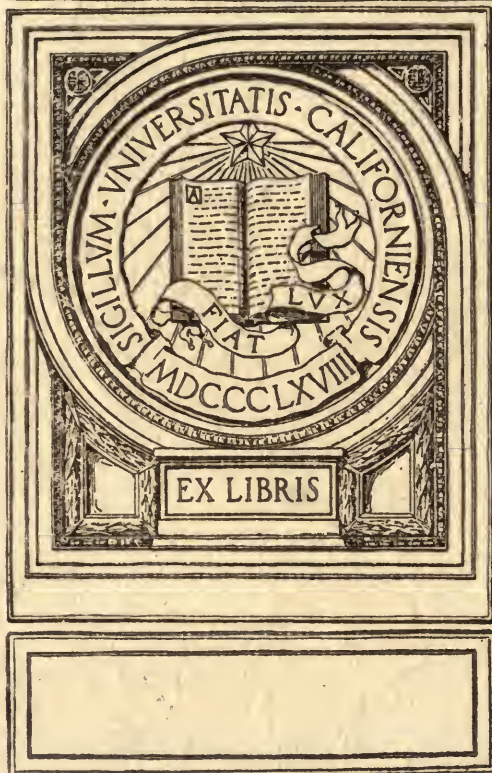
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THE
REVISED ORDINANCES

OF
SALT LAKE CITY, UTAH,

EMBRACING

ALL ORDINANCES OF A GENERAL NATURE IN
FORCE DECEMBER 20, 1892,

TOGETHER WITH THE

CHARTER OF SALT LAKE CITY,

THE AMENDMENTS THERETO, AND TERRITORIAL LAWS
OF A GENERAL NATURE APPLICABLE TO
SALT LAKE CITY, AND THE

CONSTITUTION OF THE UNITED STATES.

COMPILED AND ARRANGED BY
JOSEPH LIPPMAN.

PUBLISHED BY AUTHORITY OF THE
CITY COUNCIL OF SALT LAKE CITY, UTAH.

JS1423
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1903

SALT LAKE CITY:
TRIBUNE JOB PRINTING COMPANY.

1893.

THE
SALT LAKE CITY
TRIBUNE
PUBLISHED
DAILY
EXCEPT
SUNDAY
AND
HOLIDAYS

PREFACE.

Since the publication of the Revised Ordinances of 1888, the quantity of municipal law of Salt Lake City has been almost doubled. To gather this mass of material together, arrange it systematically and make it harmonize, has been no small task. Although the work has been somewhat delayed, it has been done with thoroughness and care. The City Council in open session patiently considered every ordinance presented in this volume, and amendments to the compilation were only adopted after mature deliberation. While I fully recognize that absolute perfection in this class of work is seldom, if ever, attained, yet I feel confident that this publication of the Charter, the amendments thereto, the General Laws of the Territory applicable to Salt Lake City, and the Ordinances as herewith presented, will stand the test of a critical examination so far as their accuracy is concerned.

It has been necessary in making this compilation to review all the ordinances ever passed by the city. It has also been necessary to revise, correct and repeal many conflicting or obsolete provisions and for such purpose prepare new ordinances for the consideration of the Mayor and Council.

For the purpose of convenient reference only, I have numbered the sections of the charter, the amendments thereto and the Territorial laws of a general nature applicable to Salt Lake City, from § 1 to § 314, retaining in parentheses in every instance the number of the section as it appears in the original law as passed by the legislature. Such sections of the "Act Providing for the Incorporation of Cities," approved March 8, 1888, (and found on pages 70 to 98 of this volume), as do not apply to Salt Lake City, I have omitted.

It has been my object to make the book a self-indexed vol-

ume, and to this end I have arranged it alphabetically according to subjects, beginning Chapter II with "Appointments" and closing Chapter LVI with "Weighmasters and Weighing." Wherever it was possible to arrange the subject matter in a particular chapter alphabetically, I have done so. The dates at the close of each section indicate the time of the passage of the ordinance and the amendments thereto. Where no dates are given the ordinance is either a new one or one that has been so freely amended as to make reference to the old ordinance unnecessary.

With the exception of special assessment ordinances, all ordinances of a general nature, including all franchises and grants of a public character, have been published.

One ordinance which was approved after the printing of the chapter to which it belongs, will be found in the Appendix.

The preparation of the indices to the Charter and the Ordinances, as well as the proof-reading of the entire work, has been in the hands of Mr. Serge M. Stenhouse. How well he has done his work those who will hereafter have frequent occasion to refer to the book can best judge.

To the Committee on Revision, Messrs. H. F. Evans, A. L. Simondi and E. E. Rich, special recognition is due for their arduous labors in hastening the work of printing and presenting the book in the neat typographical form in which it appears.

JOSEPH LIPPMAN.

SALT LAKE CITY, UTAH, March 1, 1893.

TABLE OF CONTENTS.

	PAGE.
Constitution of the United States of America.....	3
Amendments to the Constitution.....	18
Salt Lake City Charter and Amendments	25

REVISED ORDINANCES.

CHAPTER.		PAGE.
I.	Ordinances	123
II.	Appointments.....	125
III.	Attorney	130
IV.	Auditor of Public Accounts	132
V.	Board of Health.....	133
VI.	Board of Public Works	138
VII.	Bonds Issued for Corporate Purposes.....	146
VIII.	Bonds of City Officers.....	157
IX.	Buildings.....	161
X.	City Council Meetings	179
XI.	City Creek Cañon	180
XII.	Dogs	181
XIII.	Elections	183
XIV.	Engineer	191
XV.	Estray Pound	197
XVI.	Explosives	201
XVII.	Fire Department	206
XVIII.	Food and Drink (Unwholesome).....	215
XIX.	Garbage	219
XX.	Gas Ordinances—Gas, Natural Gas and Elec- tric Lights.....	225
XXI.	Irrigation.....	238
XXII.	Licenses.....	249

CHAPTER.		PAGE.
XXIII.	Local Assessments	273
XXIV.	Marshal	277
XXV.	Mayor	278
XXVI.	Misdemeanors	279
XXVII.	Nuisances	296
XXVIII.	Park Commissioners	302
XXIX.	Police	304
XXX.	Poll Tax	307
XXXI.	Prisoners and City Prison	310
XXXII.	Procedure	312
XXXIII.	Provision Inspector	313
XXXIV.	Public Lands	314
XXXV.	Railroads	321
XXXVI.	Recorder	360
XXXVII.	Reports	361
XXXVIII.	Salaries	362
XXXIX.	Seal of Salt Lake City	365
XL.	Sealer of Weights and Measures	366
XLI.	Sewers	368
XLII.	Sexton	387
XLIII.	Sidewalks	391
XLIV.	Slaughter Houses	406
XLV.	Sprinkling	407
XLVI.	Streets	411
XLVII.	Street Railways	434
XLVIII.	Sundry Expense Fund	475
XLIX.	Taxation	476
L.	Telegraph, Telephone and Electric Wires and Poles	477
LI.	Treasurer	482
LII.	Vacancies	483
LIII.	Vehicles	484
LIV.	Wards	491
LV.	Waterworks	494
LVI.	Weighmasters and Weighing	507

CONSTITUTION
OF THE
UNITED STATES.

CONSTITUTION

OF THE

UNITED STATES OF AMERICA.

PREAMBLE.

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SECTION I.

1. [**Legislative Power.**—All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION II.

1. [**House of Representatives.**—The House of Representatives shall be composed of members chosen every second year, by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2. [**Representatives—Qualifications.**—No person shall be a representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. [**Apportionment.**].—Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand; but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five, and Georgia, three.

4. [**Vacancies.**].—When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. [**Speaker—Power of Impeachment.**].—The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION III.

1. [**Senate.**].—The Senate of the United States shall be composed of two senators from each State; chosen by the legislature thereof for six years; and each senator shall have one vote.

2. [**Senators Classed—Vacancies.**].—Immediately after they shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class, shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the legislature of any State, the

executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. [**Senators—Qualifications.**].—No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. [**President of Senate.**].—The Vice-President of the United States shall be president of the Senate; but shall have no vote unless they be equally divided.

5. [**Officers.**].—The Senate shall choose their other officers, and also a president, *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. [**Court of Impeachment.**].—The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. [**Extent of Judgment in Case of Impeachment.**].—Judgment in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit, under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION IV.

1. [**Elections, How Regulated.**].—The times, places and manner of holding elections for senators and representatives, shall be prescribed in each State, by the legislature thereof, but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

2. [**Meetings of Congress.**].—The Congress shall assemble at least once in every year, and such meeting shall be

on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

1. [**To Judge of the Election of Its Members—Quorum.**].—Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

2. [**Rules.**].—Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. [**Journals.**].—Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. [**Adjournment.**].—Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION VI.

1. [**Compensation—Privilege.**].—The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest, during their attendance at the session of their respective houses, and in going to or returning from the same; and, for any speech or debate in either house, they shall not be questioned in any other place.

2. [**Holding Other Office.**].—No senator or representative shall, during the time for which he was elected, be appointed to any civil office, under the authority of the United States, which shall have been created, or the emoluments where-

of shall have been increased during such time; and no person holding any office under the United States shall be a member of either house, during his continuance in office.

SECTION VII.

1. [**Revenue Bills.**—All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills.

2. [**Power and Duty of President in Relation to Bills.**—Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections, at large, on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevents its return; in which case it shall not be a law.

3. [**Same—Joint Resolutions.**—Every order, resolution or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

[**General Powers.**].—The Congress shall have power:

1. [**Taxes.**].—To lay and collect taxes, duties, imposts and excises; to pay the debts, and to provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

2. [**Loans.**].—To borrow money on the credit of the United States.

3. [**Commerce.**].—To regulate commerce with foreign nations and among the several States, and with the Indian tribes.

4. [**Naturalization—Bankruptcy.**].—To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

5. [**Money—Weights.**].—To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. [**Counterfeiting.**].—To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. [**Postoffices.**].—To establish postoffices and post roads.

8. [**Patents.**].—To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

9. [**Tribunals.**].—To constitute tribunals inferior to the Supreme Court.

10. [**Felonies on Sea.**].—To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

11. [**War.**].—To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. [**Armies.**].—To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years.

13. [**Navy.**].—To provide and maintain a navy.

14. [**Land and Naval Forces.**].—To make rules for the government and regulation of the land and naval forces.

15. [**Militia.**].—To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions.

16. [**Same.**].—To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. [**Legislation—Seat of Government, etc.**].—To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square), as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places, purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings: and,

18. [**Laws Necessary for Execution of Powers.**].—To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SECTION IX.

1. [**Importation of Certain Persons.**].—The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. [**Habeas Corpus.**].—The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. [**Attainder—Ex post-facto Laws.**].—No bill of attainder or *ex post-facto* law shall be passed.

4. [**Direct Taxes.**—No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. [**Taxes on Exports—Inter-State Commerce.**]
—No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

6. [**Expenditures.**—No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. [**Titles—Gifts to U. S. Officers.**]
—No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept any present, emolument, office or title, of any kind whatever, from any king, prince or foreign state.

SECTION X.

1. [**Powers Prohibited to the States.**]
—No State shall enter into any treaty, alliance or confederation, grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post-facto* law or law impairing the obligation of contracts, or grant any title of nobility.

2. [**Powers of the States Under the Sanction of Congress.**]
—No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or

engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.

1. [**Executive Power.**].—The executive power shall be vested in a President of the United States of America. He shall hold his office during a term of four years, and together with the Vice-President, chosen for the same term, be elected as follows:

2. [**Presidential Electors.**].—Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress, but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. [**Meeting—Proceedings.**].—The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President; and if no person have a majority, then from the five highest on the list, the said House shall, in like manner, choose the President. But, in choosing the President, the vote shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States

shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors, shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.*

4. [**Time of Choosing Electors.**—The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. [**President—Qualifications.**—No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President, neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. [**Vacancy—Acting President.**—In case of the removal of the President from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. [**Same—Compensation.**—The President shall, at stated times, receive for his services a compensation, which shall be neither increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. [**Oath.**—Before he enters on the execution of his office, he shall take the following oath or affirmation:

9. [**Same.**—“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States.”

* Annulled; see Amendments, Art. 12.

SECTION II.

1. [**Powers of the President.**—The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States. He may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. [**Same—Official Appointments.**—He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. [**President May Fill Vacancies.**—The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

SECTION III.

1. [**Duties of President.**—He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. He may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper. He shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

SECTION IV.

1. [**How Officers Removed from Office.**—The President, Vice-President, and all civil officers of the United States; shall be removed from office on impeachment for, and conviction of treason, bribery or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.

1. [**Judicial Power.**—The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish.

The judges, both of the supreme court and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION II.

1. [**Same—Extent.**—The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, or other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States, and between a State or the citizens thereof, and foreign states, citizens or subjects.

2. [**Supreme Court—Jurisdiction.**—In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases, before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. [**Trial of Crime.**]—The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION III.

1. [**Treason.**]—Treason against the United States shall consist only in levying war against them, or in adhering to their enemies; giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. [**Same—Punishment.**]—The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION I.

1. [**Faith Given Acts, etc., of States.**]—Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION II.

1. [**Reciprocity of Citizenship.**]—The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

2. [**Criminals to Be Delivered Up.**]—A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. [**Runaway Slaves, etc.**]—No person held to service or labor in one State, under the laws thereof escaping

into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III.

1. [**Admission of New States.**].—New States may be admitted by the Congress into this Union, but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislature of the States concerned, as well as of the Congress.

2. [**Powers of Congress Over Territories, etc.**].—The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claim of the United States, or of any particular State.

SECTION IV.

1. [**Guarantee and Protection of Each State.**].—The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

1. [**Amendments, How Made.**].—The Congress, when ever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution; or on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; *Provided*, That no amendment, which may be made

prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. [**Debts Assumed.**].—All debts contracted and engagements entered into before the adoption of this Constitution, shall be as valid against the United States, under this Constitution, as under the Confederation.

2. [**Supreme Law of the Land.**].—This Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land, and the Judges in every State shall be bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding.

3. [**Officers to Support This Constitution—No Religious Test.**].—The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound, by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

[**Ratification.**].—The ratification of the conventions of nine States shall be sufficient for the establishment of the Constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth.

In witness whereof, we have hereunto subscribed our names.

ATTEST:

WILLIAM JACKSON,
Secretary.

GEORGE WASHINGTON,
President.

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.

[**Religion—Free Speech—Press—Right of Petition.**].—Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

[**People May Keep Arms.**].—A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

[**Quartering of Soldiers.**].—No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

[**Unreasonable Searches and Seizures.**].—The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

[**Presentment or Indictment in Criminal Cases—Rights of Private Property.**].—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases

arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger ; nor shall any person be subject, for the same offense, to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

[**Rights of Accused.**]—In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII.

[**Right of Trial by Jury.**]—In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact, tried by a jury, shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

[**Bail—Fines—Punishment.**]—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

[**Reserved Rights.**]—The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

[**Reserved Powers.**]—The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI.

[**Restriction of Judicial Powers.**]—The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign state.

ARTICLE XII.

1. [**Election of President.**]—The electors shall meet in their respective States and vote by ballot, for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballot the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate; the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest number, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But, in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

2. [**Election of Vice-President.**].—The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum, for the purpose, shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. [**Eligibility of Vice-President.**].—But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

1. [**Slavery Abolished.**].—Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. [**Same.**].—Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION 1. [**Citizenship Defined—Rights Guaranteed.**].—All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. [**Apportionment of Representatives.**].—Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied

to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. [**Political Disabilities of Rebels.**].—No person shall be a senator or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

SEC. 4. [**Inviolability of Public Debt.**].—The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

SECTION 1.—[**Elective Franchise.**].—The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

SALT LAKE CITY CHARTER

AND

AMENDMENTS



SALT LAKE CITY CHARTER

AND AMENDMENTS.

AN ACT INCORPORATING GREAT SALT LAKE CITY.

APPROVED JANUARY 20, 1860.

Boundaries—Name—Body Corporate—Seal.

§ 1. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That, all that district of country embraced in the following boundaries, to-wit: Beginning at a point one hundred and thirty-six rods north of the Hot Spring, thence west to the west bank of the Jordan River, thence up the west bank thereof to a point directly west from the southwest corner of the five-acre lots according to the present survey, thence east along the south line of said lots to the southeast corner thereof, thence east nine hundred rods, thence north to a point directly east of the beginning, thence west to the aforesaid place of beginning, shall be known and designated by the name and style of Great Salt Lake City; and the inhabitants thereof are hereby constituted a body corporate and politic, by the name and style aforesaid, with perpetual succession; and shall have and use a common seal, which they may change and alter at their pleasure.

Powers of the City.

§ 2. [SEC. 2.] The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended, in all courts of law and equity and in all actions whatsoever; to purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of said city, both within and without its

corporate boundaries; to improve and protect such property and do all other things in relation thereto as natural persons.

Five Municipal Wards.

§ 3. [SEC. 3.] Said city shall be divided into five municipal wards, whose boundaries shall be as prescribed by the city ordinance.

City Council—How Composed.

§ 4. [SEC. 4.] The municipal government of said city is hereby vested in a city council, to be composed of a mayor, five aldermen, one from each ward, and nine councilors, who shall have the qualifications of electors in said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors are elected and qualified.

Elections—Officers Elected—Tie Vote.

§ 5. [SEC. 5.] An election shall be held on the second Monday of February next, and every two years thereafter on said day, at which there shall be elected one mayor, five aldermen, nine councilors, one marshal, one treasurer and one recorder; and the persons respectively receiving the highest number of votes cast in the city for said offices shall be declared elected. When two or more candidates for an elective office shall have an equal number of votes for the same office, the election shall be determined by the city council.

First Election in Salt Lake City.

§ 6. [SEC. 6.] Provides for manner of holding first election under this act.

Subsequent Elections.

§ 7. [SEC. 7.] The manner of conducting and voting at all subsequent elections to be held under this act, and contesting the same, the keeping of the poll lists, canvassing the votes, and certifying the returns, and all other things relating thereto, shall be as provided by city ordinance.

Officers Appointed.

§ 8. [SEC. 8.] There shall be appointed an assessor and collector, an auditor of public accounts, a supervisor of streets, a surveyor, an attorney, a board of school inspectors, a sealer of weights and measures, a sexton or keeper of burial grounds, a chief of police, inspectors, measurers and weighers, and such other officers and agents as the city council may from time to time direct and appoint.

Removals.

§ 9. [SEC. 9.] Every person elected or appointed to any office under the provisions of this act may be removed from such office by a vote of two-thirds of the city council; and no officer shall be removed except for cause, nor unless furnished with the charges; and shall have an opportunity of being heard in his defense; and the council shall have power to compel the attendance of witnesses and the production of papers when necessary for the purpose of such trial, and shall proceed, within ten days, to hear and determine upon the merits of the case; and if such officer shall neglect to appear and answer to such charges, then the council may declare the office vacant. All officers appointed by the council may be removed at any time by vote, at discretion of two-thirds of said council; and any officer may be suspended until the disposition of charges preferred against him.

Vacancies, How Filled—Oath of Office.

§ 10. [SEC. 10.] Whenever any vacancy shall happen by the death, resignation, or removal of any officer, such vacancy may be filled by the city council; and every person elected or appointed to an elective, judicial or administrative office, shall, before he enters upon the duties thereof, take and subscribe an oath or affirmation that he will support the Constitution of the United States, the laws of this Territory and the ordinances of this city, and that he will well and truly perform all the duties of his office to the best of his knowledge and ability; and shall file the same, duly certified by the officer before whom it was taken, with the city recorder.

Illegal Voting.

§ 11. [SEC. 11.] Any person or persons illegally voting at any election under this act, shall be punishable according to law regulating general elections.

Oath of Mayor.

§ 12. [SEC. 12.] The mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and shall from time to time give the council such information and recommend such measures as he may deem advantageous to the city.

Mayor and Aldermen Conservators of Peace.

§ 13. [SEC. 13.] The mayor and aldermen shall be conservators of the peace within the limits of the city, and shall give bonds and qualify as other justices of the peace; and, when so qualified, shall possess the same power and jurisdiction, both in civil and criminal cases arising under the laws of the Territory, and may be commissioned as justices of the peace in and for said city by the Governor. They shall account for and pay over to the city treasurer, within three months, all fines and forfeitures received by them in their judicial capacity; and they shall each keep a docket, subject at all times to the inspection of the city council and all other parties interested.

Jurisdiction.

§ 14. [SEC. 14.] The mayor and aldermen shall have exclusive jurisdiction in all cases arising under the ordinances of the city, and issue such process as may be necessary to carry such ordinances into execution and effect.

Recorder—Duties—Keep Plats—Take Acknowledgments.

§ 15. [SEC. 15.] It shall be the duty of the recorder to make and keep accurate records of all ordinances made by the city council, and all their proceedings in a corporate capacity; which record shall at all times be open to the inspection of the

electors of the city and all other parties interested. He shall have and keep a plat of all surveys within the city, and record all deeds, transfers, or other instruments of writing that may be presented to him for that purpose; and he is hereby authorized to take the acknowledgment of deeds, transfers and other instruments of writing, and shall perform such other duties as may be required of him by city ordinance.

Marshal—Duties.

§ 16. [SEC. 16.] The marshal shall perform such duties as shall be prescribed by the city council for the preservation of the public peace. All process issued by the mayor or an alderman shall be directed to the marshal or his deputy; and in the execution thereof he shall be governed by such rules and regulations as may be provided by city ordinances, and shall be the principal ministerial officer.

Treasurer—Duties.

§ 17. [SEC. 17.] The treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures in such manner as the city council shall direct. He shall pay all moneys that may come to his hand, by virtue of his office, upon orders signed by the auditor of public accounts, and shall report to the city council a true account of his receipts and disbursements, as they may require.

City Council—Meetings—Presiding Officer.

§ 18. [SEC. 18.] The city council, a majority of whom shall form a quorum to transact business, shall meet at such times and places as they may direct; and the mayor, when present, shall preside at said meetings and have a casting vote. In the absence of the mayor, any alderman present may be appointed to preside, in such manner as shall be provided by the city council.

Stated Meetings—Special Meetings—Rules, etc.

§ 19. [SEC. 19.] The city council shall hold stated meetings, and the mayor or any two aldermen may call special meetings, by notice to each of the members of said council,

served personally or left at their usual place of abode. Said council shall determine the rules of its own proceedings, and be judge of the election and qualification of its own members.

Control of Finances and Property.

§ 20. [SEC. 20.] The city council shall have the management and control of the finances and property, real, personal and mixed, belonging to the corporation.

To Prohibit Games of Chance.

§ 21. [SEC. 21.] The city council is hereby empowered within the jurisdiction of the city, by ordinance and enforcement thereof, to prevent, punish or prohibit every kind of fraudulent device and practice; all descriptions of gaming, playing at dice, cards, or other games of chance, with or without betting.

To License, Tax and Regulate Certain Things.

§ 22. [SEC. 22.] To license, tax, regulate, suppress or prohibit billiard tables, pin alleys, nine or ten pin alleys, or tables and ball alleys; to suppress or restrain bawdy and other disorderly houses and groceries; to authorize the destruction and demolition of all instruments and devices used for the purpose of gaming; to prevent any riot, noise, disturbance or disorderly assemblage; and to restrain and punish vagrants, mendicants, street beggars and prostitutes.

Regulate Liquor Traffic.

§ 23. [SEC. 23.] To regulate the selling or giving away of any ardent spirits or other intoxicating liquors by any store-keeper, grocer or trader, to be drunk in any shop, store, grocery, outhouse, yard, garden or other place within the city, except by persons or at places duly licensed; to forbid the selling or giving away of ardent spirits or other intoxicating liquors to any child, apprentice or servant, without the consent of his or her parent, guardian, master or mistress, or to any Indian.

Manufacturing and Selling Liquors.

§ 24. [SEC. 24.] To license, regulate or restrain the manufacturers, sellers or venders of spirituous and fermented

liquors, tavern keepers, dram or tippling shop keepers, grocers and keepers of ordinaries, boarding, victualling or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of wines or other liquors, whether ardent, vinous or fermented.

Exhibitions.

§ 25. [SEC. 25.] To regulate, license, suppress or prohibit all exhibitions of common showmen, shows of every kind, concerts or other musical entertainments, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances and all other exhibitions and amusements.

To Prevent Certain Amusements.

§ 26. [SEC. 26.] To prevent or regulate the rolling of hoops, playing at ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams or horses.

Fast Riding—Hitching Posts—Abuse of Animals.

§ 27. [SEC. 27.] To prevent horse racing, immoderate riding or driving in the streets, and to authorize their being stopped by any person; to punish or prohibit the abuse of animals; to compel persons to put up posts in front of their lots to fasten their horses or other animals; to compel the fastening of horses, mules, oxen or other animals attached to vehicles, while standing or remaining in the street.

Prevent Encumbering Street, etc.

§ 28. [SEC. 28.] To prevent the encumbering of the streets or sidewalks, lanes, alleys and public grounds with carriages, tents, wagons, carts, sleighs, horses or other animals, sleds, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, adobies or any material or substance whatever.

Cattle—Impounding Dogs.

§ 29. [SEC. 29.] To restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry, and to authorize the distraining, impounding or sale of the same, for the penalty and costs incurred there-

by; and to impose penalties for any violation of city ordinance in relation thereto; and to tax, prevent or regulate the keeping of dogs, and to authorize the destruction of the same, when at large, contrary to city ordinance.

Health Regulations—Abate Nuisances.

§ 30. [SEC. 30.] To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap factory, tannery, stable, barn, privy, sewer, or any unwholesome place, to cleanse, remove or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said city.

Breweries, Tanneries, Slaughter Houses, etc.

§ 31. [SEC. 31.] To direct the location and management of and regulate breweries and tanneries; and to direct the location, management and construction of, and restrain or prohibit within the city, distilleries, slaughtering establishments and establishments for steaming and rendering lard, oil, tallow, offal and such other substances as can or may be rendered; and all establishments or places where nauseous, offensive or unwholesome business may be carried on.

Combustibles and Explosives.

§ 32. [SEC. 32.] To direct or prohibit the location and management of houses for the storing of gunpowder, tar, pitch, rosin or other combustible and dangerous materials within the city, and to regulate the keeping and conveying of gunpowder, and the use of candles and lights in barns, stables or outhouses.

Snow and Ice on Sidewalks.

§ 33. [SEC. 33.] To compel persons to keep the snow and ice from the sidewalks in front of the premises owned or occupied by them on East Temple street, from the Temple Block south to the intersection with Second South street.

Nuisances.

§ 34. [SEC. 34.] To abate or remove nuisances, and punish the authors thereof, by penalties of fine and imprisonment;

and to define and declare what are nuisances, and authorize and direct the summary abatement thereof; and to abate all nuisances which are or may be injurious to the public health, peace or good order.

Dead Carcass—Putrid Beef, Fish, etc.

§ 35. [SEC. 35.] To prevent any person from bringing, depositing or having within the limits of the city any dead carcass or any other unwholesome substance, and to require the removal or destruction of the same by any person who shall have placed or caused to be placed upon or near his premises or near any of the streams of this city any substances, or any putrid or unsound beef, pork, or fish, hides or skins of any kind; and, on his default, to authorize the removal or destruction by any officer of said city.

Streets, Alleys, Sidewalks, etc.

§ 36. [SEC. 36.] To exclusively control, regulate, repair, amend and clear the streets, alleys, bridges, sidewalks or crosswalks; and open, widen, straighten or vacate streets and alleys, and put drains or ditches and sewers therein; and prevent the encumbering of the streets in any manner; and protect the same from any encroachment and injury.

Public Grounds—Trees—Fencing Lots.

§ 37. [SEC. 37.] To lay out, improve and regulate the public grounds belonging to the city; to direct and regulate the planting and preserving trees in the streets and public grounds; and to regulate the fencing of lots within the bounds of the city.

Street Noises.

§ 38. [SEC. 38.] To prevent the ringing of bells, blowing of horns and bugles, crying of goods and all other noises, performances and devices tending to the collection of persons on the streets or sidewalks by auctioneers and others, for the purpose of business, amusement or otherwise.

Bathing.

§ 39. [SEC. 39.] To regulate and determine the times and places of bathing and swimming in the river or other waters in

and adjoining said city, and to prevent any obscene or indecent exhibition, exposure or conduct.

Contagious Diseases—Quarantine.

§ 40. [SEC. 40.] To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws and enforce the same within the city and around it, not exceeding twelve miles next beyond the bounds thereof.

Licenses.

§ 41. [SEC. 41.] To grant and issue licenses, and direct the manner of issuing and registering thereof, and the fees to be paid therefor. Bonds may be taken, on the granting of licenses, for the due observance of the ordinances or regulations of the city council.

Mercantile Licenses.

§ 42. [SEC. 42.] To license, tax and regulate merchants and retailers, auctioneers, distillers, brewers, brokers, pawn-brokers and money changers, and to impose duties upon the sale of goods at auction.

Hawkers and Peddlers.

§ 43. [SEC. 43.] To license, tax, regulate or suppress hawkers and peddlers.

Butchers—Poultry, Fruit and Eggs.

§ 44. [SEC. 44.] To regulate and license or prohibit butchers, and to revoke their license for malconduct in the course of trade, and to regulate, license and restrain the sale of fresh meat and vegetables in the city; and restrain and punish the forestalling of poultry, fruit and eggs.

Markets.

§ 45. [SEC. 45.] To establish and regulate markets and other public buildings, and provide for their erection, determine their location, and authorize their erection in the streets, avenues or any other public place or places in the city, and not exceeding four miles beyond the bounds thereof.

Census—Births and Deaths.

§ 46. [SEC. 46.] To provide for taking the enumeration of the inhabitants of the city; to regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality; and to impose penalties on physicians, sextons and others for any default in the premises.

Watchmen and Policemen.

§ 47. [SEC. 47.] To appoint watchmen and policemen, and prescribe their duties and powers.

Inspector of Lumber, Building Material, Etc.

§ 48. [SEC. 48.] To regulate the measuring and inspection of lumber, shingles, timber, posts, staves and heading, and all building materials and all kinds of mechanical work; and appoint one or more inspectors therefor.

Hay.

§ 49. [SEC. 49.] To regulate the weighing and place and manner of selling hay.

Provisions.

§ 50. [SEC. 50.] To regulate the inspection of tobacco, also of flour, meal, pork, beef and other provisions, and salt to be sold in barrels, hogsheads and other packages.

Wood and Coal.

§ 51. [SEC. 51.] To regulate the measuring of wood and weighing of coal, and the place and manner of selling the same.

Inspection of Liquors.

§ 52. [SEC. 52.] To regulate the inspection of whisky and other liquors to be sold in barrels, hogsheads or other vessels.

Inspectors, Weighers, Gaugers.

§ 53. [SEC. 53.] To appoint inspectors, weighers and gaugers, and regulate their duties and prescribe their fees.

Weights and Measures.

§ 54. [SEC. 54.] To require every merchant, retailer, trader and dealer in merchandise or property of any description, which is sold by measure or weight, to cause their weights and measures to be sealed by the city sealer and to be subject to his inspection; the standard of which weights and measures shall be conformable to those established by law.

Waterworks—Prevent Waste.

§ 55. [SEC. 55.] To establish, make and regulate public pumps, wells, cisterns, hydrants and reservoirs; to distribute, control and so regulate the waters flowing into the city throughout such channels as may be most advantageous, and to prevent the unnecessary waste of water.

Street Lamps.

§ 56. [SEC. 56.] To erect street lamps, and regulate the lighting thereof; and from time to time create, alter and extend lamp districts.

Public Pounds.

§ 57. [SEC. 57.] To establish and regulate public pounds.

Ferries.

§ 58. [SEC. 58.] To regulate and license ferries.

Education and Care of Children.

§ 59. [SEC. 59.] To authorize the taking up and providing for the safe keeping and education, for such periods of time as may be expedient, of all children who are destitute of all proper parental care, wandering about the streets, committing mischief and growing up in mendicancy, ignorance, idleness and vice.

Borrow Money.

§ 60. [SEC. 60.] To borrow money on the credit of the city; *Provided*, That the interest on the aggregate of all the sums borrowed and outstanding shall not exceed one-fourth of the city revenue arising from taxes assessed within the corporation during the preceding year.

Ordinances—Prescribe Penalties.

§ 61. [SEC. 61.] The city council shall have power to make, publish, ordain, amend and repeal all such ordinances, by-laws or police regulations, not contrary to the Constitution of the United States and the laws of this Territory, for the good government and order of the city, as may be necessary and expedient to carry into effect the powers vested in the city council or any officer of said city by this act; and enforce observance of all rules, ordinances, resolutions, by-laws and police and other regulations, made in pursuance of this act, by penalties not exceeding one hundred dollars for any offense against the same, or imprisonment not exceeding six months, or both.

Taxes—How Levied.

§ 62. [SEC. 62.] The city council shall have power within the city, by ordinance, to annually levy and collect taxes on the assessed value of all real or personal estate or property in the city, made taxable by the laws of the Territory, for the following named purposes, to-wit: Not to exceed five mills on the dollar to defray the contingent expenses of the city. Not to exceed five mills on the dollar to open, improve and keep in repair the streets of the city. Not to exceed one and one-quarter mills on the dollar to control the waters of said city; and they shall annually apportion and apply said taxes as shall in their judgment be deemed most expedient.

Taxes Not to be Increased.

§ 63. [SEC. 63.] When the city council shall deem it expedient for any especial purpose to borrow money, the interest on which shall not exceed one-fourth of the city revenue arising from taxes of the preceding year, the amount of taxes shall not be increased.

Poll Tax.

§ 64. [SEC. 64.] To require, and it is hereby made the duty of every male resident of the city, over the age of eighteen and under the age of fifty years, to labor one day in each year

upon the streets, but every person may at his option pay one dollar and fifty cents for the day he shall be so bound to labor; *Provided*, it be paid within five days from the time he shall be notified by the street supervisor. In default of the payment as aforesaid, the same may be collected as other taxes.

Tax Assessment.

§ 65. [SEC. 65.] The city council shall have power by ordinance to regulate the form of assessment rolls, and prescribe the duties and define the powers of assessors and collectors. The annual assessment rolls shall be returned by the assessor on or before the first Monday of April in each year; but the time may be extended or additions made thereto by order of the city council. On the return thereof the city council shall fix a day for hearing objections thereto, and any person feeling aggrieved by the assessment of his property may appear at the time specified and make his objections, which shall be heard and determined upon by the city council; and they shall have power to alter, add to, take from and otherwise correct and revise said assessment roll.

Tax Collection.

§ 66. [SEC. 66.] The collector shall be furnished, within thirty days after the assessment rolls are corrected, with a list of the taxes to be collected; and if not paid, the collector shall have power to collect said taxes with interest and cost by suit in the corporate name, or by distress and sale of any property belonging to persons so indebted. The assessor's roll shall in all cases be evidence on the part of the corporation.

Collectors—Power and Authority.

§ 67. [SEC. 67.] All taxes and assessments, general and special, shall be collected by the collector or collectors in the same manner and with the same power and authority as are given by the law to collectors of county and territorial taxes; *Provided*, the council shall have power to prescribe by city ordinance the powers, duties and liabilities of assessors and collectors

Fire Regulations.

§ 68. [SEC. 68.] The city council shall have power to make, ordain and establish all such general regulations for the prevention and extinguishment of fires, fixing of chimneys, flues and stove-pipes, as they may deem expedient; to procure fire engines and other apparatus used for the extinguishment of the same, and have the charge and control of, and provide, fit up and secure engine houses and other places for the keeping and preserving the same; to organize fire, hose and ladder companies, appoint foremen therefor and prescribe their duties, and make rules and regulations for their government, and to impose reasonable fines and forfeitures for a violation of the same.

School Trustees and Inspectors.

§ 69. [SEC. 69.] The city council shall have power to provide for the election of trustees; to appoint a board of school inspectors and to prescribe the powers and duties of the same, and to enact such ordinances as may be necessary to carry their duties and powers into effect.

Police—Fines—Power to Make Ordinances.

§ 70. [SEC. 70.] The city council shall have exclusive authority and power to establish and regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance; to provide for the recovery of such fines and forfeitures and the enforcement of such penalties, and to pass, make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for carrying into effect and execution the powers specified in this act, and for the peace, good order, regulation, convenience and cleanliness of the city, for the protection of property therein from destruction by fire or otherwise, and for the health, safety and happiness of the inhabitants thereof.

Ordinances to Be Published.

§ 71. [SEC. 71.] All ordinances passed by the city council shall, within one month after they shall have been passed, be

published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city.

Publication in Book Form.

§ 72. [SEC. 72.] All ordinances of the city may be proven by the seal of the corporation, and, when printed or published in book form, purporting to be printed or published by the authority of the city council, the same shall be received in evidence in all courts or places without further proof.

Duties of Officers—Require Bonds.

§ 73. [SEC. 73.] The city council shall have power, from time to time, to require further and other duties of all officers whose duties are herein provided; and prescribe the duties and powers of all officers appointed or elected under this act, whose duties herein are not specifically mentioned, and arrange the fees and fix the compensation of all officers, jurors, witnesses and others. They may also require bonds to be given to Great Salt Lake City by all officers, for the faithful performance of their duties.

Commissioned by Warrant.

§ 74. [SEC. 74.] All persons appointed under this act to the office of recorder, marshal, attorney, treasurer, collector, assessor, auditor of public accounts, surveyor or street commissioner, shall be commissioned by warrant under the corporate seal, signed by the mayor or presiding officer of the city council and recorder.

Delivering Property to Successor.

§ 75. [SEC. 75.] If any person, having been an officer in Great Salt Lake City, shall not, within ten days after notification and request, deliver to his successor in office all the property, papers and effects of every description in his possession belonging to said city or appertaining to the office he held, he shall forfeit and pay for the use of the city not exceeding one hundred dollars, besides all damages caused by his neglect or refusal so to deliver.

Taking Private Property for Streets, etc.

§ 76. [SEC. 76.] When it shall be necessary to take private property for opening, widening or altering any public street, lane, avenue or alley, the corporation shall make a just compensation therefor to the person whose property is so taken; and if the amount of such compensation cannot be agreed upon, the mayor shall cause the same to be ascertained by a jury of six disinterested men, who shall be inhabitants of the city.

Jurors to Assess Damages.

§ 77. [SEC. 77.] All jurors empaneled to inquire into the amounts of benefit or damages that shall happen to the owners of property so proposed to be taken, shall first be sworn to that effect, and shall return to the mayor or presiding officer of the city council their inquest in writing, signed by each juror.

Cemetery Lots Exempt from Execution.

§ 78. [SEC. 78:] The cemetery lots which have or may hereafter be laid out and sold by said city for private places of burial shall, with their appurtenances, forever be exempt from execution or attachment.

Old Ordinances in Force.

§ 79. [SEC. 79.] All ordinances, resolutions and regulations now in force in Great Salt Lake City, and not inconsistent with this act, shall remain in force until altered, modified or repealed by the city council after this act shall take effect.

Actions Continued.

§ 80. [SEC. 80.] All actions, rights, fines, penalties and forfeitures, in suit or otherwise, which have accrued under the ordinance incorporating Great Salt Lake City, shall be vested in and prosecuted by the corporation hereby created.

Surveys Validated.

§ 81. [SEC. 81.] All plots and surveys of lands, lots or other places within said city, heretofore surveyed by the sur-

veyor, and all plots and surveys of lands, lots or other places that may be hereafter surveyed, and all certificates of surveys given by him shall be deemed valid by this act.

Property Vested—Officers Continued.

§ 82. [SEC. 82.] All property, real, personal or mixed, now belonging to Great Salt Lake City, is hereby vested in the corporation created by this act; and the officers of said corporation now in office shall respectively continue in the same, until superseded in conformity to the provisions hereof, but shall be governed by this act, which shall be in force from and after its passage.

Public Act.

§ 83. [SEC. 83.] This act shall be deemed a public act, and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places.

Rights Reserved.

§ 84. [SEC. 84.] This act shall not invalidate any act done by the present city council of Great Salt Lake City, or by its officers, nor divest their successors under this act of any rights, property or otherwise, or liability which may have accrued to or been created by said council prior to the passage of this act.

Powers of Arrest—May Detain 48 Hours.

§ 85. [SEC. 85.] All officers of the city, created conservators of the peace by this act, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace; commit for examination, and, if necessary, detain such persons in custody forty-eight hours in the city prison or other safe place; and shall have and exercise such other powers, as conservators of the peace, as the city council may prescribe.

City Council.

§ 86. [SEC. 86.] Nothing in this act shall be so construed as to deprive the present city council of Great Salt Lake City

of any power or authority conferred upon them by the ordinance incorporating said city, and the act amendatory thereto; but said city council shall possess, exercise and enjoy all the powers and authority heretofore conferred upon them, except so far as such powers and authority have been expressly modified or repealed by this act, until said city council are superseded by the election and qualification of their successors under this act.

Acts Repealed.

§ 87. [SEC. 87.] That "An ordinance to incorporate Great Salt Lake City," approved January 19, 1851, be and is hereby repealed; and "An Act in relation to the assessment, collection and expenditure of a tax for road and other purposes, within incorporated cities," approved June 4, 1853, so far as the same applies to Great Salt Lake City, be and is hereby repealed.

Quarterly Statement to be Published.

§ 88. [SEC. 88.] The city council shall publish, in at least one newspaper published in Great Salt Lake City, a quarterly statement of the amount of city revenue, specifying in said statement from whence derived and for what disbursed.

[Approved January 20, 1860.]

AN ACT AMENDING THE CHARTER OF GREAT SALT LAKE CITY.

APPROVED JANUARY 14, 1865.

License—Livery Stables.

§ 89. [SEC. 1] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* First.—That the city council of Great Salt Lake City shall have power and authority to license, tax and regulate livery stables.

License Hackmen, etc.

Second—To license, tax and suppress hackmen, draymen, carters, porters, omnibus drivers, cabmen, packers, carmen and all others who may pursue like occupations, with or without vehicles, and prescribe their compensation.

Establish Hospitals—License Doctors.

Third—To establish, erect and control hospitals, infirmaries and medical colleges; to purchase grounds for their erection and improve and adorn the same; and license, control and regulate physicians and surgeons.

Establish House of Correction.

Fourth—To purchase and improve suitable grounds for a house of correction; to erect buildings thereon and adopt such rules and regulations for the government and punishment of offenders therein as said council may from time to time deem expedient.

Railroad Tracks and Locomotive Engines.

Fifth—To direct and control the location of railroad tracks and depot grounds within the city, and regulate or prohibit the use of locomotive engines thereon, and may require the cars to be used within the inhabited portions thereof to be drawn or propelled by other power than that of steam.

Gas Works—Telegraph Poles.

Sixth—To regulate and control the location of gas works, canals, telegraph poles, and all improvements of similar nature.

Local Assessments.

§ 90. [SEC. 2.] The city council shall have power to levy and collect on real estate (or land claims and improvements thereon) in any district or division benefited, within the limits of said city, a sufficient tax to defray the expense of leveling, paving, macadamizing or planking, and opening and keeping in repair, the streets and sidewalks, of conducting sewers and drains, and keeping the same in repair, and of erecting lamps

and lighting the streets in such respective districts or divisions; *Provided*, the money thus raised shall be exclusively expended for such purpose in the district where such taxes are assessed, and by such person or persons as the city council may appoint. The amount to be assessed for any such improvement shall be determined by the city council, who shall appoint three commissioners, reputable citizens, to make such assessment, who shall be sworn to faithfully and impartially execute their duties.

Before entering on their duties the commissioners shall give six days' notice of the time and place of meeting, to all persons interested. The commissioners shall assess the amount directed by the city council on the real estate (or land claims and improvements) by them deemed benefited by any such improvement, in proportion to the benefit resulting thereto.

When the commissioners shall have completed their assessment and made a correct copy thereof, they shall deliver the same to the city recorder within thirty days after their appointment, signed by all the commissioners.

The city recorder shall cause a notice to be published to all persons interested, of the completion of the assessment, and the time and place shall be designated therein when the city council shall hear appeals and objections and correct or confirm said assessment.

When the said assessment shall have been completed, the city recorder shall, within ten days thereafter, make a correct tax list, which shall be delivered to the collector or any authorized agent appointed by the city council, who shall collect said taxes within such time as may be prescribed by said council.

If any assessment is set aside by order of any court, the city council may cause a new one to be made in like manner for the same purpose, for the collection of the amount so assessed.

If the first assessment prove insufficient, another may be made in the same manner, or, if too large a sum shall at any time be raised, the excess shall be refunded, ratably, to those by whom it was paid.

[Approved January 14, 1865.]

AN ACT EXTENDING THE BOUNDARIES OF GREAT SALT LAKE CITY CORPORATION.

APPROVED JANUARY 18, 1867.

City Boundaries Extended.

§ 91. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the boundaries of Great Salt Lake City are hereby extended as follows: Commencing at the northwest corner of Great Salt Lake City corporation limits; thence west three hundred and twenty rods; thence due south to a point opposite the southern boundary of the corporation line of Great Salt Lake City; thence east to the river Jordan; and the boundary lines of the city corporation of Great Salt Lake City are hereby established in accordance with the provisions of this act.

[Approved January 18, 1867.]

AN ACT CHANGING THE NAME OF GREAT SALT LAKE CITY AND GREAT SALT LAKE COUNTY.

APPROVED JANUARY 29, 1868.

Change of City Title.

§ 92. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the name and style of Great Salt Lake City, wherever it occurs in the charter and on the corporate seal of said city, and elsewhere, shall hereafter be Salt Lake City; and that all questions, rights, property and interests pending and accrued under the former name and style shall be continued and deemed of the same force and virtue under the new name and style of Salt Lake City, and that the name and style of Great Salt Lake County, wherever it occurs in the records and on the seal of said county and elsewhere, shall hereafter be Salt Lake County; and that all questions,

rights, property and interests pending and accrued under the former name and style shall be continued and deemed of the same force and virtue under the new name and style of Salt Lake County.

[Approved January 29, 1868.]

AN ACT AMENDING THE CHARTERS OF INCORPORATED CITIES.

APPROVED FEBRUARY 15, 1872.

Jurisdiction of Justices.

§ 93. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the mayor and aldermen of each incorporated city shall be justices of the peace within their respective cities, and be commissioned as such by the Governor, and shall have jurisdiction in cases arising under the rules, laws and ordinances thereof; also in cases arising under the laws of the Territory; and all fines, penalties and forfeitures collected by them, arising under the ordinances of said city, shall be paid into the treasuries of their respective cities; and all fines, penalties and forfeitures collected by them, arising under the laws of the Territory, shall be paid into their respective county treasuries.

Actions—Arrest for Probable Cause.

§ 94. [SEC. 2.] All cases arising under the ordinances of any city may be commenced by affidavit and warrant issued thereon; *Provided*, That any officer having probable cause to believe an offense has been committed, may arrest any supposed offender before affidavit filed or warrant issued. The affidavit shall be sufficient if it refer to the ordinance by its title and date.

Violation of Ordinances.

§ 95. [SEC. 3.] The city council of any city shall have power to provide by ordinance for imprisonment and forfeiture

in cases of violation of city ordinances; *Provided*, That justices of the peace within and for the respective cities shall have exclusive jurisdiction in all cases of fines for crimes or misdemeanors arising under the ordinances of the city, where the fine does not exceed one hundred dollars, or imprisonment not exceeding six months, or both fine and imprisonment.

Public Schools.

§ 96. [SEC. 4.] To provide for public schools or other institutions of learning, for officers and teachers, determine their powers and duties, provide for school fund by direct tax or otherwise, and how the same shall be collected and disbursed.

Fire Limits.

§ 97. [SEC. 5.] The city councils of the respective cities, for the purpose of protecting property against loss by fire, may by ordinance define the limits of fire districts, and prohibit the erection of wooden buildings therein.

License Lawyers, etc.—Prohibit Quacks.

§ 98. [SEC. 6.] To license, tax and regulate lawyers, surgeons, physicians, dentists and other like professions, and prevent by penalties, quacks and other pretenders.

License Bankers, Expressmen, etc.

§ 99. [SEC. 7.] To license, tax and regulate bankers, agents, expressmen, express companies, telegraphers, photographers, assayers, smelters, crushers, and other like occupations or pursuits.

Games of Hazard.

§ 100. [SEC. 8.] The city councils of the respective cities are hereby empowered by ordinance to prevent, punish or prohibit every kind of fraudulent device and practice and all games of hazard, and punish the keepers of houses wherein the same is conducted.

Billiard Tables—Disorderly Houses.

§ 101. [SEC. 9.] To license, tax, regulate and suppress billiard tables, pin alleys, or tables and ball alleys ; to repress or restrain bawdy and other disorderly houses and punish the keepers thereof.

Repeal.

§ 102. [SEC. 10.] So much of the city charters of the several cities as conflict with the foregoing sections of the act are hereby repealed.

Boundaries of Salt Lake City.

§ 103. [SEC. 11.] An act entitled "An act extending the boundaries of Great Salt Lake City Corporation," approved January 18, 1867, is hereby amended by inserting after the words river Jordan, thence northerly down the west bank of said river Jordan to a point west of the south line of Tenth South street ; thence east along said south line to the east line of the corporate limits ; and so much of section one of said act as conflicts with this section is hereby repealed.

Approved February 15, 1872.

AN ACT AMENDING THE CHARTERS OF INCORPORATED CITIES.

APPROVED FEBRUARY 22, 1878.

Sidewalks Free from Obstructions.

§ 104. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the city councils of the respective cities of this Territory are hereby empowered, by ordinance and enforcement thereof, to compel persons to keep the sidewalks in front of their respective places of business free from obstructions.

Water Works.

§ 105. [SEC. 2.] To construct water works and reservoirs, lay water pipes, erect hydrants, and to keep the same in repair; to supply the said cities with water, and regulate, control and protect the same; and for such purpose the city council of any city shall have power to levy and collect a tax on real estate in any district or division of such city specially benefited by any such improvement, sufficient to defray the expenses thereof; *Provided*, that an amount equivalent to the money thus raised shall be expended for such purposes exclusively within the district where such taxes are assessed and by such person or persons as said city council may appoint. The city council of the city where such tax may be levied shall determine the amount to be assessed for any of the purposes above named; and the assessment shall be apportioned in the district to be benefited by the improvement in which such assessment is made, either according to the extent of frontage of the property to be assessed, or upon real estate, including the improvements thereon, and in proportion to the benefits respectively resulting thereto by virtue of such improvement, as may be directed by such city council, but in no case shall such assessment exceed one-half of one per cent. on the property assessed; *Provided*, that if the apportionment is according to frontage, due allowance may be made in case of corner lots. Such city council shall appoint three commissioners, reputable citizens, who shall be sworn to faithfully and impartially execute their duties. Before entering upon their duties, the commissioners shall give at least six days' notice in some newspaper of general circulation in such city, or otherwise, as may be directed by such city council, to all persons interested. The commissioners shall assess the amount according to the apportionment previously directed by such city council, on the real estate benefited by such improvement. When the commissioners shall have completed their assessment and made a correct copy thereof, they shall deliver the same to the city recorder of such city, within thirty days after their appointment, signed by all the commissioners. The city recorder shall cause a notice to be published to all persons interested, of the completion of the assessment,

and the time and place shall be designated therein when such city council shall hear appeals and objections and correct and affirm said assessment. When said assessment shall have been completed, such city recorder shall, within ten days thereafter, make a correct tax list, which shall be delivered to the city collector of said city, or any other authorized agent appointed by such city council, who shall immediately proceed to collect such taxes, with the same authority, and in like manner, as other taxes are collected in such city. If the first assessment prove insufficient, another may be made in the same manner, or, if too large a sum shall at any time be raised, the excess shall be refunded, ratably, to those by whom it was paid.

Local Assessment.

§ 106. [SEC. 3.] When improvements, of the kind mentioned in the preceding section, have been made in any city, and the expense thereof has been paid out of the general funds of such city, or the obligation therefor has been incurred by it, the city council thereof shall cause to be levied and collected a sufficient tax on the real estate especially benefited by any such improvement or improvements, for the purpose of reimbursing such city for the costs thereof; the levy and collection of such tax to be made in the manner provided in the preceding section.

Lien on Real Estate.

§ 107. [SEC. 4.] Every assessment made in accordance with the foregoing provisions, from the date of the completion thereof, shall be a lien upon the real estate upon which it is levied.

Fines Paid to City—Imprisonment in Jail.

§ 108. [SEC. 5.] That in convictions for misdemeanor, (as defined by the penal code of Utah, approved February 18, 1876,) committed within the limits of any city, where the arrest is made by an officer of such city, the fines accruing therefrom shall be paid into the treasury of said city, and the imprisonment shall be in the city jail thereof, or in the county jail, at the expense of such city.

City Officers, How Elected.

§ 109. [SEC. 6.] All city recorders, treasurers, marshals, and assessors and collectors, shall be elected by the people in the same manner and for the same term as members of the city council are elected.

When Councilman Shall Not Hold Office.

§ 110. [SEC. 7.] No member of any city council shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected and for one year after the expiration of such term.

[Approved February 22, 1878.]

AN ACT PROVIDING FOR THE REGISTRATION OF
VOTERS, AND TO FURTHER REGULATE THE
MANNER OF CONDUCTING ELECTIONS IN THIS
TERRITORY.*

APPROVED FEBRUARY 22, 1878.

Municipal Elections.

§ 111. [SEC. 24.] The judges of election shall receive for their services three dollars per day; and thirty cents per hour for all services rendered in canvassing votes. All municipal elections shall be held and conducted, and the returns and canvass of votes thereof made, substantially in accordance with the provisions of this act; and it shall be the duty of the city councils of their respective cities to provide for the registering of voters and the appointment or election of all officers necessary, and to furnish all necessary appliances for the carrying out of the provisions of this section; and to aid them therein, the clerk of the county court, on the demand of the recorder of any municipal corporation, shall, on payment of the proper fees, furnish a certified copy of the registry list of voters of any precinct, or part thereof, within any such municipality.

*See Compiled Laws of Utah, 1888.

AN ACT AMENDING THE CHARTER OF SALT LAKE CITY.

APPROVED FEBRUARY 20, 1880.

City Council May Borrow \$250,000 for Canal.

§ 112. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That sections 60 and 63 of an act entitled "An act incorporating Salt Lake City," approved January 20, 1860, are hereby so amended that the city council thereof, in addition to the powers therein conferred, may, for the purpose of procuring money wherewith to construct a canal and other works, by means of which to supply the inhabitants of said city with water, borrow money to an amount not to exceed the sum of \$250,000, either by the issue of coupon bonds or other negotiable securities, as said council shall deem most conducive to the interests of said city, although the interest on the money thus obtained, together with that upon the aggregate of all the sums borrowed by said city and outstanding, may exceed one-fourth of the city revenue arising from taxes assessed within the corporation during the year next preceding the date of making such loan or the issuing of said bonds or other securities; *Provided*, such indebtedness, bonded or otherwise, shall not be incurred unless at a special election called for that purpose, by resolution of the city council, after fifteen days' public notice, stating distinctly the purpose and object for which such indebtedness shall be incurred, the registered voters of said city, as registered for the regular municipal election next preceding said special election, by at least a two-thirds majority vote cast at such election, shall determine in favor of incurring such indebtedness. Nor shall the city council sell the bonds of said city below the par value thereof, nor issue bonds or other negotiable securities for a period of time exceeding fifteen years. The city council may provide by ordinance for holding special elections in said city, and the manner in which they shall be conducted and the returns and canvass of votes thereof made.

Sinking Fund Provided For.

§ 113. [SEC. 2.] The city council of said city shall set apart, every six months, out of the revenue of said city, a sum not less than one-fifth of the entire revenue thereof, as determined by the amount of revenue collected during the preceding six months, as a sinking fund for the payment of the interest and principal of the indebtedness hereinbefore authorized, as the same shall become due. Said sinking fund to be held and payments therefrom made in such manner as the city council may by resolution provide.

Amending Section 62 of Charter.

§ 114. [SEC. 3.] That section 62 of said act incorporating Salt Lake City is hereby amended by adding the following thereto : "The taxes thus levied shall attach to and constitute a lien on the property assessed from the day of assessment until paid."

Sidewalks—Opium—Eminent Domain—Recorder's Deputy.

§ 115. [SEC. 4.] The city council of said city is hereby empowered to provide by ordinance and enforcement thereof:

First—To compel the inhabitants thereof to keep the sidewalks in front of their premises free from stones, snow, ice, overhanging branches of trees and other obstructions, and to keep such sidewalks in repair.

Second—To regulate, control or prohibit the smoking of opium or inhaling of the fumes thereof, the sale of opium for such purposes, and to suppress opium smoking houses.

Third—That private property may be taken for the opening, widening or altering of any public canal or water ditch, in the same manner as provided in sections 76 and 77 of the before named act incorporating said city; for taking private property for opening, widening or altering any public street, lane, avenue or alley.

Fourth—To authorize the recorder of said city to appoint a deputy and to define his duties.

Section 65 of Charter Amended.

§ 116. [SEC. 5.] That so much of section 65 of said act incorporating Salt Lake City as requires that "the annual assessment rolls shall be returned by the assessor on or before the first Monday of April in each year," is hereby repealed, and the following substituted in its place: "The annual assessment roll shall be returned by the assessor on or before the first Tuesday of July in each year."

[Approved February 20, 1880.]

AN ACT AMENDING AN ACT AMENDING THE
CHARTERS OF INCORPORATED CITIES, AP-
PROVED FEBRUARY 22, 1878.

APPROVED FEBRUARY 20, 1880.

Amendment.

§ 117. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That section 2 of "An act amending the charters of incorporated cities," approved February 22, 1878, is hereby amended by striking out all the words from the word "and," in the twenty-second line, to the word "assessed," inclusive, in the twenty-sixth line, and inserting the following in lieu thereof: "In proportion to the benefits respectively resulting thereto by virtue of such improvement, as may be directed by such city council," and by inserting after the words "such city," in the fifty-sixth line of said section, the words: *Provided*, That in no case shall more than fifty per cent. of any tax assessed under this act be collected in any one year.

Amendment.

§ 118. [SEC. 2.] That section 3 of the before mentioned act is hereby amended by striking out the word "when," at the commencement of said section, and inserting the word "where" in lieu thereof.

[Approved February 20, 1880.]

AN ACT TO PROVIDE FOR THE RIGHT OF WAY FOR CANALS FOR SALT LAKE CITY.

APPROVED FEBRUARY 20, 1880.

Power to Construct Canals, etc.

§ 119. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the corporation of Salt Lake City is hereby empowered to supply its inhabitants with water, and for that purpose to construct and maintain such canals, ditches, flumes, dams, reservoirs and other means for procuring, diverting and conveying water as may be necessary, although the same may be or extend beyond the corporate limits of said city.

Proceedings to Secure Right of Way.

§ 120. [SEC. 2.] Whenever said city shall not have acquired, by gift or purchase, any land, real estate or claim necessary for the construction or maintenance of such canal, ditch, flume, reservoir or dam, or other means of storing, diverting and conveying water, or which may be affected by any operations connected with the construction or maintenance of the same, the said corporation may present to the judge of the district court of the judicial district wherein such lands, real estate or claims shall be situated, a petition signed by the mayor, attorney or agent of the same, describing with convenient accuracy and certainty, by maps or otherwise, the lands, real estate or claims so required to be taken or affected, as aforesaid, setting forth the purpose for which said land is required, the name and residence of each owner or other person interested therein as owner, lessee or incumbrancer, as far as known, to such mayor, attorney or agent, or appearing of record upon local or county record, and praying the appointment of three appraisers to ascertain the compensation to be made to such owner and person interested, for the taking or injuriously affecting such land, real estate or claims as aforesaid.

Court to Hear Parties Interested.

§ 121. [SEC. 3.] The said judge shall have satisfactory evidence that notice of an intended application, and the time and place thereof, for the appointment of appraisers between said corporation and the owners and the persons interested in such lands, real estate and claims, has been given, at least ten days previously, to such owners, personally or at their residence, or on the premises, or by the publication thereof in a newspaper having general circulation in the district in which such lands, real estate or claims shall be situated, such publication to be allowed only in respect to owners or persons interested, who shall appear by affidavit to have no residence in the county known to such mayor, attorney or agent, which notice shall be published at least thirty days prior to the time fixed for the application aforesaid. The court may adjourn the proceedings from time to time; shall direct any future notice thereof to be given that may seem proper; shall have proofs and allegations of all parties interested, touching the regularity of the proceedings, and shall, by an entry in its minutes, appoint three disinterested appraisers, as aforesaid, specifying in such entry a time and place for the first meeting of such appraisers.

Duty of Appraisers.

§ 122. [SEC. 4.] The said appraisers, before entering upon the duties of their offices, shall take an oath to faithfully and impartially discharge their duties as said appraisers, and any one of them may administer oaths to witnesses produced before them; they may issue subpoenas, and compel witnesses to attend and testify, and may adjourn and hold meetings for that purpose, and shall give reasonable previous notice to such owners or parties interested. They shall hear the proofs and allegations of the parties, and any two of them, after reviewing the premises, shall, without fear, favor or partiality, ascertain and certify the compensation proper to be made to said parties or owners interested, for the lands, real estate or claims, to be taken or affected, as well as all damages accruing to the owners or parties interested in consequence of the condemnation of the same, taking or injuriously affecting as aforesaid, making such

deduction or allowances for the real benefits or advantages which such owners, or parties interested, may derive from the construction of such canal, ditch, flume, dam or reservoir, or other means of diverting or conveying water. They, or a majority of them, shall make, subscribe and file in the office of the clerk of the district court of the district in which such lands, real estate or claims shall lie, a certificate of the said ascertainment and assessment, in which such lands, real estate or claims shall be described with convenient certainty and accuracy.

How Title Passes By Record.

§ 123. [SEC. 5.] The said judge, upon such certificate and due proof that such compensation and separate sums, if any be certified, have been paid to the parties entitled to the same, or have been deposited to the credit of such parties with the clerk of the court, or other place for that purpose, approved by the court, shall make and cause to be entered in its minutes, a rule describing such lands, real estate or claims, in manner aforesaid; such ascertainment of compensation, with mode of making it, and each payment or deposit of the compensation as aforesaid, a certified copy of which shall be recorded and indexed in the recorder's office of the proper county, in like manner and with like effect as if it were a deed of conveyance from the said owners and parties interested to the said corporation. Upon the entry of each rule the said corporation shall have exclusive right, title and possession of all such lands, real estate or claims described in said rule, as required to be taken as aforesaid, and may take possession of and hold and use the same, for the purpose of such canal, ditch, flume, dam or reservoir, or other means of storing, diverting and conveying water, and shall thereupon be discharged from all claims for any damage by reason of any matter specified in such petition, certificate or rule of said district court.

Compensation of Appraisers.

§ 124. [SEC. 6.] If at any time after an attempted or actual ascertainment of compensation under this act, or any purchase by or donation to said corporation of lands or claims for purposes aforesaid, it shall appear that the title acquired

thereby to all or any part of such land, for the use of said corporation, or if said assessment shall fail or be deemed defective, the said corporation shall proceed and perfect such title by procuring an assessment of the compensation proper to be made to any person who has title, claim or interest in, or lien upon such lands and by making payment thereof in the manner herein-after provided, as near as may be, and at any stage of such new proceedings, or of any proceedings under this act, the said judge may, by rule in that behalf made, authorize the said corporation, if already in possession, and if not in possession, to take possession of and use said premises during the pendency, and until the final conclusion of such proceedings, and may stay all actions and proceedings against such corporations on account thereof; *Provided*, said corporation shall pay a sufficient sum into court, or give approved security to pay the compensation in that behalf when ascertained, and in every case when possession shall be so authorized, it shall be lawful for the owners to conduct the proceedings to a conclusion, if the same shall be delayed by the corporation. The said appraisers shall receive five dollars per day as compensation for each day actually employed, such compensation to be taxed and allowed by the said judge. If any appraiser so appointed shall die, be unable or fail to serve, the court may appoint another in his place, on reasonable notice, or the parties by written agreement may appoint another, to be approved by the said judge.

[Approved February 20, 1880.]

AN ACT AMENDING THE CHARTER OF SALT LAKE CITY.

APPROVED JANUARY 20, 1882.

Power to License Liquor Selling, etc.

§ 125. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the city council of Salt Lake City is hereby empowered by ordinance

and enforcement thereof, to license, tax and regulate the manufacturing, selling, giving away, or in any other manner disposing of spirituous, vinous or malt liquors, and the persons who engage therein; to restrain, prohibit and punish the manufacturing, selling, giving away, or in any other manner disposing of spirituous, vinous or malt liquors, without a license therefor, or contrary to the terms of a license granted to exercise said powers, conjointly or separately; to prohibit the selling, giving away, or in any manner disposing of spirituous, vinous or malt liquors, upon Sundays, public holidays and election days; to adopt and employ proper and convenient means for carrying the same into effect; to have the power to require the payment in advance, into the city treasury, for purposes of revenue, for each and every license granted for the manufacturing, selling, or otherwise disposing of such liquors, a sum not exceeding at the rate of twelve hundred dollars per annum.

[Approved January 20, 1882.]

AN ACT PROVIDING FOR THE APPOINTMENT OF JUSTICES OF THE PEACE IN CASE OF VACANCIES.

APPROVED FEBRUARY 23, 1882.

Vacancies—How Filled.

§ 126. [SEC. 2.] That in case of a vacancy in the office of mayor, alderman or any city justice of any incorporated city in this Territory, the city council of such city is hereby authorized and empowered to fill such vacancy by appointment until the next general municipal election.

SEC. 3. All laws and parts of laws conflicting with this act are hereby repealed.

AN ACT RELATING TO LIQUOR LICENSES.

Sale Without License Forbidden.

§ 127. [SEC. 1.] No person shall manufacture, sell, barter, deal out or otherwise dispose of any spirituous, vinous, malt or other intoxicating liquors, without first obtaining from the county court of the county, or city council of the city, in which he intends to do business, a license therefor, as hereinafter provided.

[March 9; 1882.]

City Council May Issue Licenses.

§ 128. [SEC. 2.] The county courts in their respective counties, and the city councils in their respective cities, are hereby authorized to grant licenses, as contemplated in section 1 of this act, to any person over the age of twenty-one years, upon an application being made for such license, by petition signed by the applicants and filed with the county clerk or the city recorder, as the case may be. Said petition must state definitely the particular place at which any of the liquors named in section 1 of this act are intended to be manufactured, sold, bartered, dealt out or otherwise disposed of, whether he intends to carry on a retail or wholesale business. Before granting to the applicant a license, he shall execute a bond to the county or city, as the same may be, conditioned that during the continuance of his license he will keep an orderly and well-regulated house; that he will not allow gambling with cards, dice or any other device or implements used in gambling, within his house, outhouse, yard or other premises under his control; that he will pay all damages, fines and forfeitures which may be adjudged against him under any of the provisions of this act. Said bond shall be fixed by the county court or the city council, as the case may be, in any sum not less than one hundred dollars, nor more than one thousand dollars, with two or more sureties, to be approved by said judge or mayor. Said sureties must justify on oath before some officer authorized to administer oaths, that they are residents within the Territory, and worth the amount justified to, over and above all other debts and liabilities, exclusive of property exempt from execution. Such justifica-

tions shall be in writing, signed by the persons justifying, and certified to by the officer who administers the oath, and attached to and filed with the bond.

[March 9, 1882; February 29, 1884.]

Uniform in Amount—License May Be Refused.

§ 129. [SEC. 3.] The county court or city council, as the case may be, after the petition, statement and bond have been filed as required in the preceding section, shall determine the amount to be paid for the license prayed for, which shall be at the rate of not less than six hundred, nor more than twelve hundred dollars for the period of one year; but licenses of the same classes of business shall be uniform in amount in such city or county. Said court or council, as the case may be, shall also determine the time for which the license shall be granted, but no license shall be issued for a longer period than one year, nor for a less period than three months. *Provided*, that any application for such license may be refused for good cause, in the discretion of the city council or county court, and that no such license shall be granted to any establishment, except a hotel, located within three hundred feet of any church or public school building being used for that purpose, or within fifty feet of any theatre, variety theatre, concert hall, or any like place of amusement; and, *provided further*, that no saloon, tippling house or dram shop shall have or keep in connection with, or as part of, such saloon, tippling house or dram shop any wine room or other place, either with or without door or doors, curtain or curtains, or screen of any kind, into which any female person shall be allowed to enter from the outside, or from such tippling house or dram shop, and there be supplied with any kind of liquor whatsoever.

[March 8, 1888; March 10, 1892.]

Money Paid in Advance—Recorder to Issue.

§ 130. [SEC. 4.] The amount as determined by the county court or city council must be paid into the county or city treasury, as the case may be, by the applicant, who, upon receiving the treasurer's receipt, shall present the same to the clerk of the

county court or the city recorder. The county clerk or city recorder shall thereupon issue to the applicant a certificate of license, which certificate must state the name of the person licensed, the place of business, the kind or kinds of liquors to be manufactured, sold, bartered or otherwise disposed of, the date of commencement and expiration of such license, whether it is for a retail or wholesale business, that the person named therein is duly authorized to carry on the business of manufacturing, selling, bartering or otherwise disposing of intoxicating liquors at the place and for the time therein specified, and that the license is not transferable. Said certificate shall be signed by the county clerk or city recorder, as the case may be, who shall seal the same with the seal of the county or city.

[March 8, 1888.]

Penalty for Selling to Indians, Minors, etc.

§ 131. [SEC. 5.] Any person who shall knowingly give, sell or otherwise dispose of any intoxicating drink to an Indian, insane or idiotic person, and any person licensed as hereinafter provided, or any other person who shall for compensation knowingly give, sell or otherwise dispose of any intoxicating drink to any minor, or who shall permit any of said persons to be or remain in his place of business where liquors are sold, without the written consent of the parents or guardian thereof, or who shall give, sell, or otherwise dispose of any intoxicating drink to any person who is known in the community in which he resides to be an habitual drunkard, shall be guilty of a misdemeanor.

[March 12, 1890.]

Selling on Sunday—Gambling—Dancing, etc.

§ 132. [SEC. 6.] Any person licensed as aforesaid, or any person neglecting or refusing to obtain a license, as herein provided, who shall either

1. Sell, give away or otherwise dispose of any intoxicating drink at any time during the first day of the week, commonly called Sunday, except for medical purposes upon the prescription of a physician; or

2. Who shall permit on his premises where such intoxicating drink is sold, any gambling by means of dominoes, cards, dice or other articles, or any other description of gambling; or

3. Who shall permit dancing, drunkenness, sleeping or lodging in the night time, or who shall permit any disorderly conduct in his saloon licensed for the sale of liquors, shall be deemed guilty of a misdemeanor, and shall be punished by a fine in any sum less than three hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, at the discretion of the court.
[March 11, 1886; March 7, 1888.]

Married Women May Recover Damages.

§ 133. [SEC. 7.] It shall be lawful for any married woman to institute and maintain, in her own name, a suit on any such bond for all damages sustained by herself and children, or either, on account of such traffic, and the money, when collected, shall be paid over for the use of herself and children, or either.
[March 9, 1882.]

Bond to Be Evidence.

§ 134. [SEC. 8.] On the trial of any suit on such bond, a copy thereof, properly authenticated, shall be evidence in any court in this Territory.
[March 9, 1882.]

When Liquor Bills Cannot be Sued For.

§ 135. [SEC. 9.] No suit for liquor bills, when sold in less quantity than five gallons at one time, shall be maintained in any court in the Territory, and when it shall be made to appear that any promissory note, mortgage or other obligation on which a suit is pending was given for liquor sold in less quantity than five gallons at one sale, such suit shall be dismissed at the cost of the plaintiff, except such sales be made for medical, mechanical or sacramental purposes.
[March 9, 1882.]

Penalty for Selling Without License.

§ 136. [SEC. 10.] Any person who shall sell or otherwise dispose of, for gain, upon any pretext whatever, malt, spirituous

or vinous liquors, or any intoxicating drink, without first having complied with the conditions of, and obtained a license as set forth in this act, shall, for each offense, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum less than three hundred dollars, or be imprisoned, not exceeding six months, in the county or city jail, or be both fined and imprisoned, and shall be liable, in all respects, to the public and to individuals, the same as he would have been had he given bonds and obtained a license as herein provided.

[March 9, 1882.]

When Suits May be Maintained.

§ 137. [SEC. 11.] All suits for damages or expenses arising under any of the provisions of this act, may be commenced and maintained before any justice of the peace of the proper county or city, when the amount of the damages claimed is less than three hundred dollars, although the penalty in the bonds may exceed that amount, and the judgment shall be for the amount of damages proved; and successive suits by different persons having different causes of action, may be had upon the same bond until the aggregate amounts of all judgments rendered thereon equal the penalty thereof.

[March 9, 1882.]

How Penalty May be Enforced.

§ 138. [SEC. 12.] In all judgments or convictions of any person of a misdemeanor, under the provisions of this act, the court, in its discretion, may order that the defendant, in default of payment of the fine and costs, be imprisoned until such fines and costs are paid, said imprisonment, however, not to exceed the term of six months in all; or may order that executions issue against the defendant for such fine and cost, and should any such execution be returned unsatisfied, either wholly or in part, a suit may be maintained upon any bond that said defendant may have given in accordance with section 2 of this act.

[March 9, 1882.]

Municipal Corporations Not Interfered With.

§ 139. [SEC. 13.] No provision of this act shall be so construed as to authorize any county court or county officer to

interfere with the rights granted to municipal corporations by their several charters, and the amendments thereto, to license, tax and regulate, restrain and prohibit the manufacture, selling or in any other manner disposing of vinous, spirituous and malt liquors, within the corporate limits, or to prohibit vine growers without a license, from expressing and selling on the premises where expressed, the pure juice of the grape, in quantities not less than five gallons to one person at one time; *Provided*, that where any municipal corporation has the right in its charter to prohibit the manufacture, sale and otherwise disposing of spirituous, vinous and malt liquors, nothing in this act shall be so construed as to impair such right.

[March 9, 1882.]

Selling on Election Day—Council May Revoke.

§ 140. [SEC. 1.] It shall be unlawful for any person, either licensed or unlicensed, to sell, give away or in any manner dispose of, directly or indirectly, any spirituous, vinous or other intoxicating liquors on any part of any day set apart or to be set apart for any general or special election for any Territorial, county, municipal, district or precinct officer, except district school trustees, in any election precinct or district in any of the counties or municipalities in this Territory, except for medical purposes upon the prescription of a physician. Any person violating the provisions of this section shall be guilty of a misdemeanor. And the county court or the city council may revoke any licenses granted to the keepers of saloons, tippling houses, dram shops, or for the selling or giving away of any intoxicating drink or malt liquors, within the city or county, whenever, in the judgment of the court or city council, such action may be necessary to the peace and good order of any precinct in the county or of the city.

[March 6, 1888; March 12, 1890; March 10, 1892.]

Physicians Must Certify to Prescriptions.

§ 141. [SEC. 2.] Any physician who shall issue to any person a prescription to obtain any intoxicating liquors at any time when the sale or disposal thereof shall have been forbidden by law, shall certify on said prescription that the health of the

person to whom the prescription is issued requires, and would be promoted by, the particular kind of liquor prescribed.

Any physician who shall issue any prescription for intoxicating liquors contrary to this section shall be guilty of a misdemeanor.

[March 12, 1890.]

AN ACT TO EXTEND THE POWERS OF INCORPORATED CITIES.

APPROVED MARCH 1, 1884.

City Assessor and Collector.

§ 142. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the city councils of each and every of the incorporated cities of this Territory are hereby authorized and empowered, by ordinance and enforcement thereof, to enforce the payment of all city taxes by levy and sale of the real or personal property of any delinquent taxpayer, in the manner provided by law for assessing and collecting Territorial and county taxes; the city assessors and collectors to exercise the same powers within their several jurisdictions as are exercised by county assessors and collectors, and any city taxes, when assessed, shall be a lien on the property assessed until paid.

[Approved March 1, 1884.]

AN ACT AMENDING "AN ACT INCORPORATING SALT LAKE CITY," APPROVED JANUARY 20, 1860.

APPROVED MARCH 13, 1884.

Billiard Tables and Ten Pin Alleys.

§ 143. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the city

council of Salt Lake City be and is hereby authorized and empowered by ordinance and the enforcement thereof: First—To license, tax and regulate the use of billiard or pool tables and prohibit the use of all kinds of tables in any public place in the city on which gaming for money or the representative thereof is allowed, and to punish the owners and keepers of said tables for the violations of any ordinance of the city. Second—To license, tax and regulate the use of nine or ten pin alleys and all kinds of ball and pin alleys and the runways thereof in any public place in said city, in or on which games are played; and to punish the owners and keepers of such alleys and runways to be used for the playing of games therein and thereon contrary to any ordinance of said city; licensing or regulating their use for such purposes, and the playing of all games on such tables and in such alleys and on the runways of such alleys, shall be deemed to be by and with the consent and permission of the owners and keepers thereof; *Provided*, that the fee for such license shall in no case exceed fifty dollars per annum for each of such tables, nor fifty dollars for each runway of such alleys, nor be less than twenty-five dollars per annum for each table and runway as aforesaid.

To Prohibit Gaming.

§ 144. [SEC. 2.] To prohibit the playing of any game for money or other property or thing representing money or other property; and to punish all persons who shall play at any game for money or other property or thing representing money or other property.

Police—Regular and Special.

§ 145. [SEC. 3.] The mayor of Salt Lake City shall have power to appoint, by and with the advice and consent of the city council, the regular police of said city to the number which may from time to time be prescribed by the city council, and to remove the same at pleasure. He shall also have power to appoint special police, when, in his judgment, the public good may require such action; *Provided*, That such special police shall not be appointed for a longer period than ten days without the consent of the city council.

Females in Saloons.

§ 146. [SEC. 4.] To prohibit the employment of any female to serve in the selling, giving away or other disposition or delivery of spirituous, vinous and malt liquors in any saloon or place in said city in which such liquors or any of them are so disposed of or delivered to be drunk on the premises where so sold or otherwise disposed of, and to punish any female so employed and serving, and all persons by whom such females are employed.

[Approved March 13, 1884.]

AN ACT TO AMEND CHAPTER X OF THE LAWS OF UTAH, 1884.

APPROVED MARCH 11, 1886.

City Charters Amended.

§ 147. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That Chapter X of the Laws of Utah, 1884, be, and the same is hereby amended, by adding the following to said chapter, to be known as sections 2 and 3, and that said chapter be numbered section 1, of this act.

Power to Collect Water Tax.

§ 148. [SEC. 2.] The city councils of the respective cities of this Territory shall have power to annually assess, collect and expend a water tax, to supply the city with water for domestic and irrigating purposes, and may regulate the use of water for manufacturing purposes, and to tax individuals for the use of such water, in proportion to the water used by each; *Provided*, that nothing herein shall be construed to interfere with the water rights accrued by priority of appropriation.

Assault and Battery and Petit Larceny.

§ 149. [SEC. 3.] To provide against, by ordinance, and punish offenses of assault and battery, and petit larceny.

[Approved March 11, 1886.]

AN ACT PROVIDING FOR THE INCORPORATION OF CITIES.

APPROVED MARCH 8, 1888.

ARTICLE IV.—OF THE POWER OF THE CITY COUNCIL.

§ 150. [SEC. 1.] The city council shall have the following powers:

Finances.

§ 151. [First.] To control the finances and property of the corporation.

Appropriate Money—Buy and Sell Property.

§ 152. [Second.] To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation; and to purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of the city, both within and without its corporate boundaries; to improve and protect such property, and to do all other things in relation thereto as natural persons.

To Levy and Collect Taxes.

§ 153. [Third.] To levy and collect taxes for general and special purposes on real and personal property.

Licenses.

§ 154. [Fourth.] To fix the amount, terms, and manner of issuing licenses.

Buildings.

§ 155. [Fifth.] To erect all needful buildings for the use of the city.

Borrow Money—Issue Bonds—Sinking Funds.

§ 156. [Sixth.] To borrow money on the credit of the corporation for corporate purposes, and issue the bonds there-

for in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to any amount, including the existing indebtedness, in the aggregate to exceed four per centum on the value of the taxable property therein, to be ascertained by the last assessment for the Territorial and county taxes previous to the incurring of such indebtedness, and shall provide for the payment of the interest on said bonds, as the same shall become due, and for a sinking fund for the payment of the principal of said bonds, within twenty years after contracting the same.

Maturing Bonds.

§ 157. [Seventh.] To issue bonds in place of, or to supply means to meet maturing bonds, or for the consolidation or funding of the same.

Streets, Parks and Public Grounds.

§ 158. [Eighth.] To lay out, establish, open, alter, widen, extend, grade, pave, or otherwise improve streets, alleys, avenues, sidewalks, parks and public grounds, and vacate the same.

Planting Shade Trees.

§ 159. [Ninth.] To plant or direct and regulate the planting of ornamental and shade trees in such streets, avenues, sidewalks, parks and public grounds.

Regulate Use of Streets, etc.

§ 160. [Tenth.] To regulate the use of streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds.

Prevent Obstructions on Streets, etc.

§ 161. [Eleventh.] To prevent and remove obstructions and encroachments upon the same.

Lighting, Sprinkling and Cleaning Streets, etc.

§ 162. [Twelfth.] To provide for the lighting, sprinkling and cleaning of the same.

Openings in Streets—Gas and Electric Lights.

§ 163. [Thirteenth.] To regulate the opening therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels, drains and erecting gas or electric lights; *Provided*, that any company heretofore organized under the general laws of this Territory, or any association of persons organized for the purpose of manufacturing illuminating gas, or electricity to supply cities, or the inhabitants thereof, with the same, shall have the right, by consent of the city council (subject to existing right), to erect gas or electric-light works, and lay down pipes, or string wires on poles in the streets or alleys of any city in this Territory, subject to such regulations as such city may by ordinance impose.

Waterworks, Street Railways, Bath Houses, etc.

§ 164. [Fourteenth.] To construct and maintain water works, gas works, electric-light works, street railways, or bath houses, or to authorize the construction and maintenance of the same by others, or to purchase any or all of said works from any person or corporation.

Jurisdiction Outside City Limits.

§ 165. [Fifteenth.] To construct or authorize the construction of water works without their limits, and for the purpose of maintaining and protecting the same from injury and the water from pollution, their jurisdiction shall extend over the territory occupied by such works and all reservoirs, streams, canals, ditches, pipes and drains, used in and necessary for the construction, maintenance and operation of the same, and over the stream or source from which the water is taken, for ten miles above the point from which it is taken; and to enact all ordinances and regulations necessary to carry the power herein conferred into effect.

Control Water and Water Courses.

§ 166. [Sixteenth.] To control the water and water courses leading to the city, and to regulate and control the water courses and mill privileges within the city; *Provided*, that the

control shall not be exercised to the injury of any rights already acquired by actual owners; and to levy and to collect taxes upon all taxable real and personal property, not to exceed one per cent. per annum for the purpose of furnishing the city or the inhabitants thereof, with water for irrigating and other purposes, and to regulate and control the same for the use and benefit of the inhabitants thereof; and may assess, collect and enforce the payment of the taxes in any manner provided for by ordinance.

Canals, Springs, Sources of Water Supply.

§ 167. [Seventeenth.] To construct, purchase and maintain canals, ditches and reservoirs; and to purchase springs, streams, or sources of water supply, for the purpose of providing water for irrigation, domestic or other purposes; and if necessary to secure said sources of water supply, may purchase the land upon which said water has been appropriated or applied.

Gas and Electric Light Privileges.

§ 168. [Eighteenth.] To make, contract with, and authorize any person, company, or association to construct gas works, electric or other light works in said city, and give such persons, company or association the privilege of furnishing light for the public buildings, streets, sidewalks, and alleys of said city, for any length of time not exceeding three years.

Regulating Prices of Gas, Etc.—Poles and Wires.

§ 169. [Nineteenth.] To provide for the lighting of streets, laying down of gas pipes, and erecting of lamp posts, and to regulate the sale and use of gas and electric or other lights, the charge therefor, and the rent of gas meters within the city, and to regulate the inspection thereof, to prohibit or regulate the erection of telegraph, telephone or electric wire poles in the public grounds, streets or alleys, and the placing of wires thereon, and to require the removal from the public grounds, streets or alleys, of any or all such poles, and the placing underground of any or all telegraph, telephone or electric wires.

Fix Water Rates.

§ 170. [Twentieth.] To fix the rate of tax to be paid for the use of water furnished by the city, or any person or corporation.

Sidewalks—Snow and Other Obstructions.

§ 171. [Twenty-first.] To regulate the use of sidewalks and all structures thereunder, and to require the owner or occupant or any person to keep the sidewalks in front of, or along the same, free from snow and all other obstructions.

Prevent Throwing Garbage, etc., on Streets, etc.

§ 172. [Twenty-second.] To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage or any offensive matter in, and to prevent injury or obstruction to any street, avenue, alley, park or public ground.

Crosswalks, Curbs and Gutters.

§ 173. [Twenty-third.] To provide for and regulate cross-walks, curbs and gutters.

Signs, Signposts, Awnings, etc.

§ 174. [Twenty-fourth.] To regulate or prevent the use of streets, sidewalks, public buildings and grounds for signs, signposts, awnings, telegraph or telephone poles, horse-troughs, racks, posting handbills or advertisements.

Placards or Handbills.

§ 175. [Twenty-fifth.] To regulate or prohibit the exhibition or carrying of placards or handbills in the streets, public grounds or upon the sidewalks.

Flags, Banners or Signs.

§ 176. [Twenty-sixth.] To regulate or prevent the flying of flags, banners or signs across the streets or from houses.

Traffic Upon Streets.

§ 177. [Twenty-seventh.] To regulate or prohibit traffic and sales upon the streets, sidewalks and public places.

Speed of Animals, Locomotives, etc.

§ 178. [Twenty-eighth.] To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation; and to prevent horse-racing, immoderate driving, or riding, in the streets.

Numbering Houses and Lots.

§ 179. [Twenty-ninth.] To regulate the numbering of houses and lots.

Naming Streets, etc.

§ 180. [Thirtieth.] To name and change the name of any street, avenue or other public place.

Franchise to Street Railways, etc.

§ 181. [Thirty-first.] To permit, regulate or prohibit the locating, constructing or laying the track of any railroad or tramway, in any street, alley or public place; but such permission shall not be for a longer period than twenty-five years.

[March 10, 1892.]

Railroad Crossing.

§ 182. [Thirty-second.] To provide for and change the location, grade and crossing of any railroad.

Cattle Guards.

§ 183. [Thirty-third.] To require railroad companies to fence their respective railroads, or any portion of the same, and construct cattle guards, crossings of streets and public roads, and keep the same in repair within the limits of the corporation.

Flagmen at Crossings—Tracks on Grade.

§ 184. [Thirty-fourth.] To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property; to compel such companies to raise or lower their railroad tracks to conform to any grade which may at any time be established by such city, and when such tracks run lengthwise of any such street, alley

or highway, to keep railroad track on a level with the street surface, so that such tracks may be crossed at any place on such street, alley or highway ; to compel and require railroad companies to make and keep open, and to keep in repair ditches, drains, sewers and culverts, along and under their railroad tracks, so that filthy or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural or artificial drainage of adjacent property shall not be impeded.

Bridges, Viaducts and Tunnels.

§ 185. [Thirty-fifth.] To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Culverts, Drains, Sewers, etc.

§ 186. [Thirty-sixth.] To construct and keep in repair culverts, drains, sewers, catch basins, manholes and cesspools, and to regulate the use thereof.

License, Tax and Regulate Certain Businesses.

§ 187. [Thirty-seventh.] To license, tax and regulate hawking, peddling, pawn-brokerage, employment agencies, the keeping of ordinaries, theatrical and other exhibitions, shows, amusements, and the business conducted by ticket scalpers, distillers, brewers, money changers, brokers, keepers of public scales, runners for stages, cars, public houses, or other persons or things, and to revoke such license at pleasure ; to license, tax and regulate banks, bath houses, livery stables, skating rinks, smelters, crushers, express companies, restaurants, hotels, taverns, theatres, opera houses, music halls, boarding houses, eating houses, chop houses, lodging houses, laundries, barber shops, second-hand or junk stores, and to forbid the owners or person in charge of said stores from purchasing or receiving from minors, without the written consent of their guardian or parents, any article whatever ; to license, tax and regulate the business conducted by hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, watermen, and all others pursuing like occupations, and to prescribe their compensation, merchants, retailers, shops and storekeepers, druggists, photographers, assayers, confectioners and fruit peddlers.

Billiards, Ten Pin Alleys, etc.

§ 188. [Thirty-eighth.] To license, regulate and tax and suppress billiard, bagatelle, pigeon hole, or any other tables or implements kept or used for a similar purpose; also pin alleys, or tables or ball alleys.

Bawdy Houses—Gambling Houses—Obscene Pictures.

§ 189. [Thirty-ninth.] To suppress and prohibit the keeping of bawdy and other disorderly houses, houses of ill-fame or assignation, or houses kept by, maintained for, or resorted to, or used by one or more females for lewdness or prostitution, within the limits of the city, and within three miles of the outer boundaries thereof, and to prohibit the resorting thereto for any of the purposes aforesaid; and also to suppress and prohibit gaming and gambling houses, lotteries, and all fraudulent devices and practices, and all kinds of gaming, playing at dice, cards or other games of chance, and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

Intoxicating Liquors.

§ 190. [Fortieth.] To license, regulate and tax the manufacturing, selling, giving away, or disposing of in any manner, any intoxicating, malt, vinous, mixed or fermented liquor, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license; and said license shall be subject to the same restrictions as required by the general laws of the Territory, and said council shall require of all persons applying for a license hereunder, a bond in good and sufficient security and with like conditions as required by the general laws of the Territory in this regard; *Provided*, that no other or further permit or license shall be required by the county in which such city is situated to enable such person or persons so licensed to sell or deal therein within the limits of the corporation.

Liquor to Minors, etc.—Smoking Opium.

§ 191. [Forty-first.] To punish and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fer-

mented liquor, to any minor, insane or idiotic person, habitual drunkard, or person intoxicated; and also to punish and prohibit the keeping or maintaining or becoming an inmate of, or visiting or in any way contributing to the support of any place, house or room where opium is smoked, or where persons assemble for the purpose of smoking opium or inhaling the fumes of opium or where opium is sold for such purpose.

Markets and Market Houses.

§ 192. [Forty-second.] To establish markets and market houses, and provide for the regulation and use thereof.

Meats, Poultry, Fish, Provisions.

§ 193. [Forty-third.] To provide for place and manner of sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and regulate the selling of the same.

Inspection of Meats and Provisions.

§ 194. [Forty-fourth.] To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, flour, meal and all other provisions.

Inspection and Weighing of Coal, etc.

§ 195. [Forty-fifth.] To regulate the inspection, weighing and measuring of lumber, firewood, coal, hay.

Sealing of Weights and Measures.

§ 196. [Forty-sixth.] To provide for the inspection of and sealing of weights and measures.

Weights and Measures.

§ 197. [Forty-seventh.] To enforce the keeping of proper weights and measures by vendors.

Vaults, Cisterns, etc.

§ 198. [Forty-eighth.] To regulate the construction, repair and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

Disorderly Conduct, Petit Larceny, etc.

§ 199. [Forty-ninth.] To prevent intoxication, fighting, gambling, quarreling, dog fights, cock fights, and all disorderly conduct, and provide against and prevent the offenses of assault and battery and petit larceny; to restrain riots, routs, noises, disturbances or disorderly assemblies in any street, house or place in the city; to regulate or prevent the discharge of firearms, rockets, powder, fireworks or any other dangerous combustible material in the streets, lots, grounds, alleys, or about or in the vicinity of public buildings.

Concealed Weapons.

§ 200. [Fiftieth.] To regulate and prohibit the carrying of concealed weapons.

Vagrants.

§ 201. [Fifty-first.] To arrest, fine, or set to work on the streets or elsewhere, all vagrants, mendicants, and persons found in said city without visible means of support or some legitimate business.

Disturbing the Peace.

§ 202. [Fifty-second.] To provide for the punishment of persons disturbing the peace and good order of the city, or any lawful assembly, by clamor, or noise, or by intoxication, fighting, or using obscene or profane language, or otherwise violating the public peace by indecent or disorderly conduct, or by lewd or lascivious behavior.

Tramps, Prostitutes, Gamblers, Etc.

§ 203. [Fifty-third.] To provide for the punishment of tramps, common street beggars, common prostitutes, habitual disturbers of the peace, pick-pockets, gamblers, thieves, persons who practice any game, trick or device with intent to swindle.

Fire Limits—Destruction of Buildings.

§ 204. [Fifty-fourth.] To define the fire limits and prescribe limits within which no buildings shall be constructed, except brick, stone or other incombustible material, without

permission, and to cause the destruction or removal of any building constructed or repaired in violation of any ordinance; and to cause all buildings and enclosures which may be in a dangerous state to be put in a safe condition.

Fire Escapes—Exits and Entrances.

§ 205. [Fifty-fifth.] To prescribe the thickness, strength and manner of constructing stone, brick, and other buildings, and construction of fire escapes therein; and to cause all buildings used for public purposes to be provided with sufficient and ample means of exit and entrance, and to be supplied with necessary and appropriate appliances, for the extinguishment of fire and to prevent the over-crowding, and to regulate the placing and use of seats, chairs, benches, scenery, curtains, blinds, screens, or other appliances therein.

Chimneys, Stoves, Boilers, etc.

§ 206. [Fifty-sixth.] To prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stovepipes, heaters, ovens, furnaces, boilers, and other apparatus used in and about buildings and manufactories, and cause the same to be removed or placed in a safe condition, where considered dangerous.

Dangerous Manufactories—Ashes.

§ 207. [Fifty-seventh.] To regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires, and to prevent the deposit of ashes in unsafe places.

Fire Department.

§ 208. [Fifty-eighth.] To provide for the organization and support of a fire department, to procure fire engines, hooks, ladders, buckets and other apparatus, and to organize fire engine, hook and ladder companies, and to prescribe rules, duties and government therein, with such penalty as the council may deem proper, and to make all necessary appropriation therefor, and to establish regulations for the prevention and extinguishment of fires.

Storage of Gunpowder, etc.—Bonfires—Fireworks.

§ 209. [Fifty-ninth.] To regulate or prevent the storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bonfires; also to regulate or restrain the use of fireworks, firecrackers, torpedoes, roman candles, skyrockets or other pyrotechnic displays.

Inspection Steam Boilers.

§ 210. [Sixtieth.] To provide for the inspection of steam boilers.

Jails, Houses of Correction, Workhouses, etc.

§ 211. [Sixty-first.] To establish, erect and maintain city jails, houses of correction and workhouses for the confinement of persons convicted of violating any city ordinance, and make rules and regulations for the government of the same, and appoint necessary jailers and keepers, and to use the county jail for the confinement and punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county court.

Cruelty to Animals.

§ 212. [Sixty-second.] To prohibit cruelty to animals.

Nuisances—Power to Abate.

§ 213. [Sixty-third.] To declare what shall be a nuisance and to abate the same, and impose fines upon parties who may create, continue or suffer nuisances to exist.

Board of Health—Quarantine Laws.

§ 214. [Sixty-fourth.] To make regulations to secure the general health of the city; to prevent the introduction of contagious, infectious or malignant diseases into the city, and to make quarantine laws and enforce the same within the corporate limits, and within twelve miles thereof; to create a board of health and prescribe the powers and duties of the same.

Hospitals and Burial Grounds.

§ 215. [Sixty-fifth.] To purchase, hold and pay for lands within or without the corporate limits for the burial of the dead, and all necessary ground for hospitals, and to have and exercise police jurisdiction over the same, and over cemetery used by said city ; and to survey, plat, map, fence, ornament and otherwise improve all burial and cemetery grounds ; and to convey cemetery lots owned by said city, and pass rules and ordinances for the protection and government of said grounds, and for the governing of owners of lots therein and visitors and trespassers.

Registration of Births and Deaths.

§ 216. [Sixty-sixth.] To regulate the burial of the dead and the registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for default therein.

Animals at Large—City Pound—Estrays.

§ 217. [Sixty-seventh.] To regulate or prohibit the running at large within the limits of the city, horses, mules, asses, cattle, swine, sheep, goats, geese and all kinds of poultry; to establish a pound and appoint a poundkeeper, and prescribe his duties, and to distrain and impound animals running at large, and to provide for the sale of the same in the same manner as provided for the sale of estrays and animals doing damage by the laws of the Territory. The proceeds arising from the sale of such animals, after the payment of all costs, shall go to the city treasury.

Dogs—Power to Destroy.

§ 218. [Sixty-eighth.] To license, tax, regulate or prohibit the keeping of dogs, and to authorize the destruction of the same when at large contrary to ordinance.

Packing Houses, Breweries, Slaughter Houses, etc.

§ 219. [Sixty-ninth.] To direct the location and regulate the management and construction of packing houses, tanneries, canneries, renderies, bone factories, slaughter houses, butcher

shops, soap factories, foundries, breweries, distilleries, livery stables and blacksmith shops in and within one mile of the limits of the corporation.

Abating Privy, etc., and Regulating Location.

§ 220. [Seventieth.] To prohibit any offensive or unwholesome business or establishment within one mile of the limits of the corporation; to compel the owner of any pig-sty, privy, barn, corral, sewer or other unwholesome or nauseous house or place to cleanse, abate or remove the same, and regulate the location thereof.

Taking Census.

§ 221. [Seventy-first.] To provide for taking the census; but no census will be taken oftener than once in five years, except as provided in section 14, Article I, of this act.*

Public Buildings.

§ 222. [Seventy-second.] To provide for the construction and care of all public buildings necessary for the use of the city.

Prevent Ball Playing, Bicycling, etc.

§ 223. [Seventy-third.] To prevent or regulate the rolling of hoops, playing of ball, flying of kites, riding of bicycles or tricycles, or any other amusement or practice having a tendency to annoy persons passing in the streets, or on sidewalks, or to frighten teams or horses.

Lumber Yard.

§ 224. [Seventy-fourth.] To regulate, tax or prohibit the keeping of any lumber yard, and the placing or piling, or selling any lumber, timber, wood or other combustible material within the limits of the city.

Waterworks and Fire Signals.

§ 225. [Seventy-fifth.] To purchase, construct, lease, rent,

* Section 14, Article I, provides that municipal authorities of any city in this Territory are authorized to appoint commissioners to take the census of such city before any municipal election, in order to ascertain whether it is a city of the first or second class.

manage and maintain any system or part of system of water-works, hydrants and supplies of water, telegraphic, fire signals, or fire apparatus, and to pass all ordinances, penal or otherwise, that shall be necessary for the full protection, maintenance, management and control of the property so leased, purchased or constructed.

Libraries and Reading Rooms.

§ 226. [Seventy-six.] To establish, maintain and regulate free public libraries and reading rooms, and to perpetuate such free libraries and reading rooms as may have been heretofore established in said cities.

Processions.

§ 227. [Seventy-seventh.] To regulate or prohibit all public demonstrations and processions which interfere with public traffic.

Burying Indigent Dead.

§ 228. [Seventy-eighth.] To provide for the burial of indigent dead and to pay the expenses thereof.

Street Tax.

§ 229. [Seventy-ninth.] To provide by ordinance for the annual levy and collection of a street tax assessed upon the property, real or personal, of the city. Said tax not to exceed one-half of one per cent. in any one year, and to be expended for the opening, widening, grading, paving and improving of the streets, sidewalks, avenues and alleys of the city.

Destitute Children.

§ 230. [Eightieth.] To authorize the taking and providing for the safe-keeping and education, for such periods of time as may be expedient, of all children who are destitute of proper parental care.

Inspection of Liquors.

§ 231. [Eighty-first.] To regulate the inspection of whisky and other liquors.

Butchers—Vegetables, etc.

§ 232. [Eighty-second.] To regulate, license the business conducted by butchers, and to revoke their license for malconduct in the course of trade, and regulate, license the selling of fresh meat and vegetables in the city, and to prohibit the forestalling of poultry, fruit, vegetables and eggs.

Bell Ringing, Horn Blowing, etc.

§ 233. [Eighty-third.] To prevent the ringing of bells, blowing of horns and bugles, crying of goods and other noises, performances, and devices tending to the collection of persons on the streets or sidewalks, by auctioneers and others for the purpose of business, amusement or otherwise.

Fastening Animals.

§ 234. [Eighty-fourth.] To compel persons to fasten animals attached to vehicles while standing or remaining in the streets.

Extend Streets and Sewers Under R. R. Tracks.

§ 235. [Eighty-fifth.] To extend any street, alley or highway, by condemnation or otherwise, over or across, or to construct any sewer under or through any railroad track, right of way or land of any railroad company within the corporate limits; but where no compensation is made to such railroad company the city shall restore such railroad track, right of way or land to its former condition, or in such a manner as not to have impaired its usefulness.

Require Bonds from Officers—Reports.

§ 236. [Eighty-sixth.] To require all officers and agents elected or appointed in pursuance of this act to give bond and security for the faithful performance of their duties, and to require from every officer of the city at any time to report in detail all the transactions in his office, or of any matters connected therewith.

Police—Removal—Vacancies—Create Offices—Salaries.

§ 237. [Eighty-seventh.] To appoint police and watchmen and to define their powers and duties, and to remove all officers of the city for misconduct, and to provide for filling

such vacancies as may occur in any elective office, and to create any office that may be deemed necessary for the good government of the city; to regulate and prescribe the powers, duties and compensation of all officers of the city not herein provided for.

Eminent Domain.

§ 238. [Eighty-eighth.] To exercise the power of eminent domain and to take private property for public use, within or without the city, for the purposes and in the manner provided by law.

License Fees and Taxes.

§ 239. [Eighty-ninth.] To raise revenues by levying and collecting a license fee or tax on any private corporation or business within the limits of the city, and regulate the same by ordinance. All such license fees and taxes shall be uniform in respect to the class upon which they are imposed.

Ordinances—Limit of Fine and Imprisonment.

§ 240. [Ninetieth.] To pass all ordinances, rules, and make all regulations, not repugnant to the Constitution and laws of the United States, or the laws of this Territory, necessary for carrying into effect or discharging all powers and duties conferred by this act, and such as shall seem necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace, good order, comfort, convenience of the city and the inhabitants thereof, and for the protection of property therein, and to enforce obedience to such ordinances with such fines or penalties as the city council may deem proper; *Provided*, the fine or penalty shall be less than three hundred dollars, and the imprisonment shall not exceed six months for such offense.

ARTICLE V.—ACTIONS FOR VIOLATION OF ORDINANCES.

Reference to Title and Section—Commitment.

§ 241. [SEC. 3.] In all actions for the violation of any ordinance, it shall be sufficient if the complaint refer to the title

and section of the ordinance under which such action is brought. Any person upon whom any fine or penalty shall be imposed may, upon the order of the court before whom the conviction is had, be committed to the county jail, city prison, work house, house of correction, or other places provided by the city for the incarceration of offenders, until such fine, penalty and costs shall be fully paid.

ARTICLE VI.—OFFICERS, THEIR POWERS AND DUTIES.

Elective Officers.

§ 242. [SEC. 1.] There shall be elected in all the cities of this Territory the following officers: In cities of the first class, a mayor, elective at large, and three councilmen from each municipal ward. In cities of the second class, a mayor, elected at large, and two councilmen from each ward. In cities of the third class, a mayor and seven councilmen, elected at large; and, in addition, there shall be elected in all of said cities a recorder, treasurer, assessor and collector, marshal, and a justice of the peace; *Provided*, that in the case of any incorporated city in which, at the time of the passage of this act, the members of the board of aldermen or council are elected from districts or wards, the provisions of this section shall not apply, nor shall this act in any manner interfere with the existing qualifications of electors or officers, or with the manner of selecting the officers.

[March 4, 1892.]

Term of Office, Two Years.

§ 243. [SEC. 2.] The elective officers of a city shall hold their respective offices for two years and until their successors are elected and qualified.

Appointive Officers.

§ 244. [SEC. 3.] There shall be appointed by the council, in cities of the first and second class, a city attorney, surveyor,

watermaster, sexton, supervisor of streets, auditor, and such other officers and agents as may by the city council be deemed necessary or expedient, and the council, in cities of the third class, may appoint any of said officers, or such officers and agents as may be deemed necessary.

Term of Office of Appointive Officers.

§ 245. [SEC. 4.] The appointive officers of the city shall hold their respective offices for two years, unless sooner removed by the city council.

Oath and Bonds of Elective Officers.

§ 246. [SEC. 5.] Every person elected to an elective, judicial or administrative office, shall, before he enters upon the duties thereof, take and subscribe an oath, or affirmation; that he will support the Constitution and laws of the United States, the laws of this Territory, and the ordinances of — city, and that he will well and truly perform all the duties of his office to the best of his knowledge and ability; and shall file the same with the city recorder; and every such officer shall, before entering upon the duties of his office, execute a bond with good and sufficient sureties, to be approved by the mayor, payable to the city, in such penal sum as may, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of his office, and the payment of all moneys received by such officer, according to law and the ordinances of said city; *Provided*, that the bond of the mayor shall be approved by the city council; *Provided further*, that the treasurer's bond shall not be fixed at a sum less than the amount of the whole tax for the current year.

Bonds of Appointive Officers—Where Filed.

§ 247. [SEC. 7.] The city council may require bonds of all officers appointed by them, and may at any time require further and additional bonds of all officers, elected and appointive. All bonds given by the officers of any city shall be filed with the recorder, except the bond of the recorder, which shall be filed with the treasurer.

Delivery of Property.

§ 248. [SEC. 8.] Every officer of the city shall, within five days after notification and request, deliver to his successor in office all property, books and effects of every description in his possession, belonging to the city or appertaining to his said office; and upon his refusal to do so, shall be liable for all damages caused thereby, and to such penalty as may by ordinance be prescribed.

Eligibility of Officers.

§ 249. [SEC. 9.] No person shall be eligible to any office who is not a qualified elector of the city, nor shall any person be eligible to any office who is a defaulter to the corporation.

Officers Interested in Contract Work, etc.

§ 250. [SEC. 10.] No officer shall be directly or indirectly interested in any contract work, or business of the city; or the selling of any article, the expense, price or consideration of which is paid from the treasury, or by any assessment levied by any act or ordinance; nor in the purchase of any real estate, or other property belonging to the corporation, or which shall be held for the taxes or assessments or by virtue of legal process at the suit of said corporation, mayor or other officer of the city.

Not to Hold Any Other City Office.

§ 251. [SEC. 11.] In cities of the first and second class, no mayor, councilman, recorder or treasurer shall hold any other office under the city government during his term of office.

Compensation.

§ 252. [SEC. 12.] The mayor and councilmen of any city shall receive such compensation as the city council may by ordinance direct, but their compensation shall not be changed during their term of office; and all other officers may receive a salary, fee, or other compensation, to be fixed by ordinance; and after the same has been once fixed, such fees or compensation shall not be increased or diminished to take effect during the term for which any such officer was elected or appointed.

ARTICLE X.—COLLECTION OF TAXES AND DUTIES OF ASSESSOR
AND COLLECTOR.

Powers of Board of Equalization.

§ 253. [SEC. 4.] The board of equalization is hereby authorized to administer oaths in the discharge of official duties, and may require property owners to give a statement to it of their taxable property and its value, under oath, and it may summon such other persons to appear and testify before it as it may deem necessary to carry out the provisions of this act.

ARTICLE XI.—JUDICIAL POWER.

Justice of the Peace.

§ 254. [SEC. 1.] The judicial power of the city shall be vested in the justice of the peace of such city. Said justice shall have exclusive original jurisdiction of cases arising under, or by reason of the violation of any ordinance or by-law of said city, and shall have the same jurisdiction as other justices of the peace in cases arising under the laws of the Territory. The rules of practice and mode of proceeding in said justice's court shall be the same as are or may be prescribed by law for justices' courts in like cases. From all final judgments of said justice's court whether civil or for violation of any ordinance of said city, an appeal shall be allowed to either party against whom the judgment is rendered, to the district or other appellate court provided by law, in the same manner and upon the same terms as provided by law for appeals from justices' courts in similar cases.

If a vacancy shall occur in the office of city justice of the peace, the mayor shall forthwith call a special meeting of the city council, and it shall immediately proceed to fill such vacancy by appointment for the unexpired term. And the person so appointed shall qualify in the same manner as a city justice of the peace, and shall have and exercise all the powers herein conferred upon such justice of the peace. In case any city justice of the peace shall be unable to perform the duties of his

office, the mayor shall appoint some other justice of the peace residing within the county to act as city justice of the peace *pro tem.*, and he shall have the power to discharge all the duties of such city justice of the peace during the existence of such disability only, in the same manner and to the same extent as though the appointee had originally been elected to such office. The city justice of the peace shall receive such salary as the city council may determine; he shall not receive any fees or other compensation than such salary for his services.

[March 4, 1892.]

ARTICLE XIV.—FINANCES.

Ten Mills for Water.

§ 255. [SEC. 2.] [Second.] And said council shall have power to annually levy and collect, at such times as they may determine by ordinance or resolution, on all of said taxable property, not to exceed ten mills on the dollar to purchase water sources, streams and land upon which said streams are appropriated, canals, construct waterworks, and supply water for irrigation and other purposes; *Provided*, an acreage tax may be assessed in lieu of said tax whenever the council may deem said tax just.

Five Mills for Streets and Sidewalks.

§ 256. [Third.] Not to exceed five mills on the dollar to open, improve and keep in repair the streets and sidewalks of the city.

Five Mills for Sewers and Drains.

§ 257. [Fourth.] Not to exceed five mills on the dollar to construct and keep in repair sewers and drains.

Local Assessments.

§ 258. [Fifth.] And to levy and collect local assessments, as herein provided, to construct and keep in repair sidewalks, sewers, drains and streets and supply the city, or inhabitants thereof with water and with gas and other means of illumination.

ARTICLE XV.—LOCAL ASSESSMENTS.

Sewerage, Paving, etc.

§ 259. [SEC. 1.] The city council are authorized and empowered to divide the city into districts for sewerage, paving, or other like purposes, and to provide by ordinance a system of doing any or all work in or upon the streets, highways, sidewalks, and other public places of such city, or for making therein street improvements and repairs, and for constructing sewers, drains, water works and laying of pipes and mains for water and gas; and for the payment of the costs and expenses thereof, said council shall have power by ordinance to determine the form and mode of local assessments, and levy and collect local taxes, in proportion to benefits upon the property within said districts; or may levy and collect such annual general tax, if such there be, for the particular work to be carried on, as provided in subdivisions 2, 3 and 4 of section 2, article XIV, of this act; or may draw upon the contingent or general fund of the city, provided for in subdivision 1* of section 2, article XIV, of this act, or may use either or all of said taxes, when such use would be just. Local taxes, levied for the purpose of paying the costs of constructing sewers or drains within the city, may be levied upon the real estate lying and being within the sewerage district in which such sewer or drain may be situated, to the extent of benefits to such property by reason of such improvements, the benefits to such property to be determined by said council, sitting as a board of equalization, after notice given, as hereinafter provided, or according to the front foot of the lots or real estate within such district, or according to such other rules as the council may adopt for the distribution or adjustment of such costs. Local taxes, levied for the purpose of grading, widening, opening, extending, paving or repairing in any manner, streets or sidewalks, or for the laying of water or gas pipes, shall be levied upon the lots or pieces of ground adjacent to or abutting upon said streets or sidewalks,

* Subdivision 1 reads as follows: First—Not to exceed five mills on the dollar to defray the contingent expenses of the city.

or in such other manner as the council, sitting as a board of equalization, may determine to be just; *Provided*, that this provision shall not apply to ordinary repairs of streets or sidewalks, and one-half of the expense of bringing streets, alleys or sidewalks to the established grade shall be paid out of the street or contingent fund; *Provided further*, that in all cases where the expense of any of the said improvements mentioned in this section is to be defrayed, either in whole or in part, by local assessment, the council shall give notice of such intention, which notice shall be published at least twenty days in a newspaper published within such city. Such notice shall describe the improvements so proposed, the boundaries of the district to be affected or benefited by such improvement, the estimated cost of such improvement, and designate the time set for such hearing. If at or before the time so fixed written objections to such improvements, signed by the owners of one-half, in value, of the property so to be affected or benefited, as shown by the last preceding city assessment roll, be not filed with the recorder, the council shall be deemed to have acquired jurisdiction to order the making of such improvement. Any special assessments made and levied to defray the costs and expenses of any such work, and the costs of collection, shall constitute a lien upon and against the property upon which such is made and levied, from and after the date of the order for such assessment, and said assessment shall be collected in like manner as other city taxes.

ARTICLE XVII.—HOW CORPORATE LIMITS MAY BE EXTENDED.

Any City May Extend.

§ 260. [SEC. 1.] Any city now existing in this Territory that shall become incorporated under this act may extend its corporate limits in the manner hereinafter provided.

How Extension Made.

§ 261. [SEC. 2.] The boundaries of any municipal corporation may be altered and new territory included therein after proceedings had as required in this section. The council

of such corporation may, upon receiving a petition therefor signed by not less than two-fifths of the property-owners residing in the territory proposed by such petition to be annexed to such corporation, submit to the electors residing in such territory the question whether such territory shall be annexed to such corporation and become a part thereof; and such council shall give notice thereof by publication in a newspaper published in such corporation for a period of four weeks; but if no newspaper be published therein, then by posting notices for at least four weeks in not less than four public places in said territory proposed to be annexed. Such notices shall distinctly state the proposition to be so submitted, and shall designate specifically the boundaries of the territory so proposed to be annexed, and the electors shall be notified thereby to vote upon such proposition by placing upon their ballots the words "for annexation" or "against annexation." Such city council shall also designate the day and place or places at which the poll will be opened in such territory so proposed to be annexed, which place or places shall be those used for general election purposes within such territory, if such there be. The election shall be conducted, the votes canvassed and returns made in the manner prescribed by law, and if it shall show upon such canvass that the majority of all the votes of the resident taxpayers of such territory.....cast shall be for annexation, such council shall order to be entered upon their minutes, and make a certified abstract of such vote, showing the number of votes cast for annexation and the number of votes cast against annexation.

It shall be the duty of the person or persons to whom returns of said election are made to file with the Secretary of the Territory the information contained in said certificate. From and after the day of the filing of such abstract, such annexation shall be deemed complete; and thereafter such territory shall be and remain a part of such corporation.

[March 10, 1892.]

Filing Plat With County Recorder.

§ 262. [SEC. 3.] The mayor of any city incorporated under this act shall cause to be filed in the office of the county

recorder in the county wherein said city is located, a plat showing the corporate limits and boundaries of his city at the time of its incorporation under this act, and any change in said city limits made subsequent to its incorporation under this act.

ARTICLE XVIII.—RESTRICTION OF CORPORATE LIMITS.

How Limits Restricted.

§ 263. [SEC. 1.] Any city now existing in this Territory may restrict its corporate limits in the following manner: On petition, in writing, signed by not less than three-fourths of the electors residing within the territory desired to be detached, and not less than one-fourth of the remaining electors in said city, to the city council thereof, it shall be the duty of said council to submit the question to the electors of such city at the next municipal election and to give notice in the same manner and for the same time as provided in section 2, article XVII, of this act; *Provided*, that no territory shall be detached, nor shall any election be ordered when such territory does not lie upon the border of said city limits, or is laid out into city lots or blocks.

What the Notice Shall State.

§ 264. [SEC. 2.] Such notice shall distinctly state the proposition to be submitted, and shall designate, specifically, the boundaries of the territory proposed to be detached, and the electors shall be notified to vote upon such question by placing upon ballots the words "for detachment," or "against detachment." If a majority of all the votes cast in said city shall be "for detachment," the city council shall cause to be entered upon their minutes a true copy of the returns of said election, showing the number of votes cast for and against the question.

Filing Plat of Detached Territory.

§ 265. [SEC. 3.] It shall be the duty of the mayor of said city to have recorded in the county records an accurate map of the territory so detached and the city as restricted in its limits, and he shall also make publication at least four times in some

newspaper having general circulation in the county, of the result of such election, and designate the territory so detached. Upon making the proper entries and filing with the recorder the affidavit of publication, the detachment of such territory shall be deemed complete, and said territory shall be no longer subject to the jurisdiction of said city.

ARTICLE XIX.—HOW CITIES MAY DISINCORPORATE.

Manner of Disincorporation.

§ 266. [SEC. 1.] On petition in writing, signed by not less than one-half of the electors of any city, as shown by the registration list of the preceding year, to the city council of any city, praying for the disincorporation of said city, it shall be the duty of said council to submit such question to the electors of said city, at the next general municipal election, and to give notice thereof by publication in a newspaper published in said city at least once a week, for a period of four successive weeks prior to such election, or if no papers be published therein, then by posting notices for at least four weeks prior to said election, in eight or more public places in said city; *Provided*, that the question of disincorporating the city shall not be submitted at any election unless the obligations and liabilities of such city have been fully met and provided for. Such notices shall distinctly state the proposition to be voted for, the time and place of the election, and the electors shall be notified thereby to vote upon such proposition by placing upon their ballots the words, "for disincorporation" or "against disincorporation." The election shall be conducted, the votes canvassed and the returns made in the same manner as provided by law.

Three-Fourths Necessary.

§ 267. [SEC. 2.] If three-fourths of the votes cast at such election shall be for disincorporation, the corporate existence of such city shall be ended, and the officers elected shall not qualify, and the terms of incumbent officers shall be deemed to have expired.

Treasurer of County, Custodian of Records, etc.

§ 268. [SEC. 3.] The retiring officers of such disincorporated city shall deposit with the treasurer of the county in which said city is situated, all the records, books, maps and other personal property belonging to said city, and all moneys, accounts, notes, and other property, both real and personal, belonging thereto, shall revert to and vest in said county; and said county is hereby empowered to sue in its own name for the collection of all accounts and the enforcement of any claim of said city, and to use the property so vesting as all other property belonging to said county.

Recording and Publication of Fact.

§ 269. [SEC. 4.] Whenever any city is disincorporated, as herein provided, it shall be the duty of the retiring mayor of such city to have recorded a copy of said petition, the order of the city council in submitting the proposition to the electors, a certified copy of said notices and the number of votes cast for and against disincorporation, by the county recorder of the county in which such city is situated, and he shall further make publication of such disincorporation, by publishing for at least four successive weeks in some newspaper having general circulation within the Territory.

ARTICLE XX.—MISCELLANEOUS.

Powers of City Council.

§ 270. [SEC. 1.] When by this act the power is conferred upon the city council to do and perform any act or thing, and the manner of exercising the same is not specifically pointed out, the city council may provide by ordinance the manner and details necessary for the full exercise of such power.

Duties of City Officers.

§ 271. [SEC. 2.] The duties, powers and privileges of all officers in any way connected with the city government not herein defined, and the defining by this act of the duties of city officers, shall not preclude the city council from defining, by ordinance, further and additional duties to be performed by any such officer.

Limit of Fine and Imprisonment.

§ 272. [SEC. 3.] The city council may pass all ordinances necessary to carry into effect any of the powers herein granted, and may prescribe punishments for any violation of the same; *Provided*, that such punishments be by fine in any sum less than three hundred dollars, or by imprisonment not exceeding six months, or both.

Supplemental to Charters.

§ 273. [SEC. 5.] Article IV; section 3 of article V; sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12 of article VI; section 4 of article X; article XI; subdivisions 2, 3, 4 and 5 of section 2 of article XIV; article XV; articles XVII, XVIII, XIX, and sections 1, 2 and 3 of article XX, of this act, are hereby made applicable to all incorporated cities now organized in this Territory, and shall be construed to be cumulative and supplemental to the charters of said cities.

When in Force.

§ 274. [SEC. 6.] This act shall take effect from and after its passage and approval.

[March 8, 1888.]

MUNICIPAL CHARTERS.

AN ACT SUPPLEMENTING AND AMENDING THE
CHARTERS, AND DEFINING, PRESCRIBING
AND REGULATING THE POWERS, DUTIES
AND GOVERNMENT OF CITIES OF THE
FIRST AND SECOND CLASS.

APPROVED MARCH 13, 1890.

Streets, Sidewalks, Pavements, etc.

§ 275. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the city council of each city of the first and second class in the Territory of Utah shall have the following powers: To lay out, establish, open, alter, extend, widen and improve streets, alleys,

avenues, sidewalks, parks and public grounds, and vacate the same, and to grade, curb and gutter, park and beautify or otherwise improve and keep in good repair, or cause the same to be done in any manner they may deem proper, any park, street, avenue or alley within the limits of the city, and may grade partially or to the established grade, or park or otherwise improve any part of such street, avenue or alley, and may also construct and repair, or cause and compel the construction and repair of sidewalks in such city, of such material and in such manner as they may deem proper and necessary; and to defray or cause to be defrayed the cost and expense of such improvements or any of them, the council of such city shall have power and authority to levy and collect special taxes and assessments upon the blocks, lots or parts thereof, and pieces of ground adjacent to or abutting upon the street, avenue, alley or sidewalk thus in whole or in part opened, widened, curbed and guttered, graded, parked, extended, constructed or otherwise improved or repaired, or which may be especially benefited by any of said improvements; *Provided*, that the above provisions shall not apply to ordinary repairs of streets or alleys, and one-half of the expense of bringing streets, avenues, alleys or parts thereof to the established grade shall be paid out of the general fund of the city; and such council shall have power to pave, repave or macadamize any street or alley, or part thereof, in the city, and for that purpose to create suitable paving districts, which shall be consecutively numbered, such work to be done under contract, and under the superintendence of the board of public works of the city.

The cost of paving, macadamizing or repaving of the streets and alleys within any paving district, except the intersection of streets and space opposite alleys within such district, shall be assessed upon the lots and lands abutting upon the streets and alleys in such district, in proportion to the square feet or feet front, or both, so abutting upon such streets and alleys. The assessments of special taxes for paving purposes herein provided for shall be made as follows:

The total costs of the improvements shall be levied at one time upon the property and become delinquent as herein provided:

One-tenth (1-10) of the total amount shall be delinquent in fifty days after such levy, one-tenth (1-10) in one year, one-tenth (1-10) in two years, one-tenth (1-10) in three years, one-tenth (1-10) in four years, one-tenth (1-10) in five years, one-tenth (1-10) in six years, one-tenth (1-10) in seven years, one-tenth (1-10) in eight years, and one-tenth (1-10) in nine years; each of said installments except the first shall draw interest at the rate of seven per cent. per annum from the time of levy aforesaid until the same shall become delinquent, and after the same shall become delinquent interest at the rate of ten per cent. per annum shall be paid thereon; **Provided*, that in cities of the first and second class said total costs of the improvements shall become delinquent at such time or times and in such installments, or the entire sum at one time, as the city council of such city may prescribe; *Provided*, that such entire sum shall not become delinquent in a less time than one year.*

Such taxes shall be collected and enforced as in other cases of special taxes. In cases of omission, errors or mistakes, in making such assessment or levy in respect of the total cost of the improvements, or deficiencies or otherwise, it shall be competent for the council to make a supplemental assessment and levy to supply such deficiencies and omissions, errors or mistakes. The cost of paving, macadamizing or repaving the intersections of streets and space opposite alleys in any paving district, shall be paid by the city as hereinafter provided; but nothing herein contained shall be construed to exempt any street railway company from keeping every portion of every street, avenue and alley used by it, upon or across which its track shall be constructed, at or near the grade of such streets, in good and safe condition for public travel and shall keep the same plank-paved, macadamized or otherwise in such condition for public travel as the city council of such city may from time to time direct, keeping the plank-pavement or other surface of the street or alley level with the top of the rails of the track of such street railway. The portions of the streets or alleys to be so kept and maintained by all such street railway companies

* The provisos included between the asterisks were approved March 10, 1892.

shall include all the space between its different rails and tracks and also a space outside of the outside rail of each outside track of at least two feet in width, and the tracks herein referred to shall include not only the main tracks, but also all side tracks, crossings and turnouts, constructed for the use of such street railways.

If any company shall have laid tracks upon the streets or highways of any city and failed to operate them with cars for public use for the period of nine months after the laying thereof, such tracks may be declared a nuisance and taken up by the city and removed.

For the purpose of paying the cost of paving, macadamizing or repaving the streets and alleys in any paving district, exclusive of the intersections of street and space opposite alleys therein, the council shall have power, and may by ordinance cause to be issued bonds of the city, to be called "District Paving Bonds of District No. ———" payable in not exceeding ten years from date, and to bear interest, payable annually, not exceeding the rate of six per cent. per annum, with interest coupons attached, and in such case shall also provide that said special taxes and assessments shall constitute a sinking fund for the payment of said bonds and interest, and said bonds shall not be sold for less than their par value, provided that the entire cost of paving, repaving or macadamizing any such streets, avenues or alleys, properly chargeable to any blocks, lots of lands or part thereof within any such paving district according to the front feet or square feet thereof may be paid by the owner of such lots or lands within fifty days from the levy of such special taxes, and thereupon such lots or lands shall be exempt from any lien or charge therefor.

Whenever the council deem it expedient, they shall have power, for the purpose of paying the cost of paving, repaving or macadamizing the intersection of streets and spaces opposite alleys in the city, to issue bonds of the city, to run not more than twenty years, and to bear interest payable semi-annually at a rate not exceeding six per cent. per annum, with coupons attached, to be called "paving bonds," and which shall not be sold for less than their par value, and the proceeds of which shall be

used for no other purpose than paying the cost of paving, repaving or macadamizing the intersections of streets and alleys in the city. *Provided*, that the aggregate amount of such bonds issued in any one year shall not exceed the sum of one hundred thousand dollars (\$100,000); and if in any such city there shall be any real estate not subject to assessment of special taxes for paving purposes, the council shall have the power to pave in front of the same and to pay the cost thereof that would otherwise be chargeable on such real estate, in the same manner as herein provided for the paving of intersection of streets and paying therefor. The word "lot" as in this act used shall be taken to mean any subdivided real estate. The word "lands" shall mean any unsubdivided real estate. The word "street" shall be deemed to include boulevard and avenue.

Provided, that if the lots and real estate abutting upon that part of the street ordered paved, repaved or macadamized, as shown upon any such recorded plat or map, are not of uniform depth, or if for any other reason it shall appear just and proper to the council, the council are authorized and empowered to determine and establish the depth to which the real estate shall be charged and assessed with the cost of the improvement, and such depth shall be determined and established according to the benefits accruing to the property by reason of the improvement. The council shall include in the paving district all the real estate to be benefited by such improvement, and shall cause it to be charged and assessed with the cost of such paving or improvement as in this section hereinafter provided. The provisions of this section in regard to the depth to which real estate may be charged and assessed, shall apply to all special taxes that may be levied, except for sidewalk in proportion to the front or square feet. Whenever curbing, or curbing and guttering is done upon any street or avenue in any paving district in which paving has been ordered, and the council shall deem expedient so to do, they shall have power and authority, for the purpose of paying the cost of such curbing and guttering to cause to be issued bonds of the city, to be called "Curbing and Guttering Bonds of Paving District No——," payable in not exceeding ten years from date, and to bear interest payable annually, not exceeding the rate of six per cent. per annum, with

interest coupons attached, and in such case, shall assess at one time the total cost of such curbing and guttering, or curbing, as the case may be, upon the property abutting or adjacent to the portion of the street or avenue so improved, according to special benefits; such assessment to become delinquent the same as the assessment of special taxes for paving purposes, and to draw the same rate of interest and be subject to the penalties, and may be paid in the same manner as special taxes for paving purposes, and the special taxes so assessed shall constitute a sinking fund for the payment of said bonds and interest, and said bonds shall not be sold for less than their par value; and no such special tax shall be declared void, nor shall any such assessment or part thereof be set aside, in consequence of any error or irregularity committed or appearing in any of the proceedings under this act or the acts of which it is amendatory; but any party feeling aggrieved by any such special tax or assessment or proceeding may pay the said special taxes assessed or levied upon his, her or its property, or such installments thereof as may be due, at any time before the same shall become delinquent, under protest, and with notice in writing to the city collector that he intends to sue to recover the same, which notice shall particularly state the alleged grievance and grounds thereof, whereupon such party shall have the right to bring a civil action within sixty days thereafter, and not later, to recover so much of the special taxes paid as he shall show to be illegal, inequitable and unjust, the cost to follow the judgment, to be apportioned by the court as may seem proper, which remedy shall be exclusive. The city collector shall promptly report all such notices to the city council for such action as may be proper. No court shall entertain any complaint that the party was authorized to make and did not make to the city council sitting as a board of equalization, nor any complaint not specified in said notice fully enough to advise the city of the exact nature thereof; nor any complaint that does not go to the groundwork, equity and justice of the tax. The burden of proof to show such tax or part thereof invalid, inequitable or unjust shall rest upon the party who brings such suit.

Provided, that the city council shall provide by ordinance that upon the levying of any tax under the provisions of this

act and the completion of the list or lists of the property in any of the districts taxed, five of its members shall be appointed as a board of equalization and review, and the list or lists shall be placed in the hands of said board, and the said board shall give public notice of the completion of the said lists and appoint not less than five consecutive days upon which they will meet during the usual business hours, and state the place of its meeting, and during the time specified the said list or lists shall be open to public inspection, and any person or persons feeling themselves aggrieved shall have hearing before said board, and the said board shall have the authority to make correction of any tax deemed by them unequal or unjust.

Railways Required to Pave.

§ 276. [SEC. 2.] All horse, cable, steam, electric or other railway companies now existing or hereafter created in any city already incorporated or hereafter organized shall be required to pave or repave at their own cost all the space between its different rails and tracks and also a space two feet wide outside of the outside rails of the outside tracks, and the tracks herein referred to shall include not only the main tracks but also all side tracks, crossings and turnouts used by such companies, and where two or more companies occupy the same street or alley with separate tracks, then each company shall be responsible for its proportion of the surface of the street or alley occupied by all the parallel tracks as herein required. Such paving or repaving by such railway companies shall be done at the same time and shall be of the same material and character as the paving or repaving of the streets or alleys upon which said railway track or tracks are located, unless other material be specially ordered by the board of public works.

Such railway companies shall be required to keep that portion of the street which they are herein required to pave or repave in good and proper repair, using for said purpose the same material as the street upon which the track or tracks are laid at the point of repair, or such other material as the board of public works may require and order; and as streets are hereafter paved, or repaved, street railway companies shall be required to lay, in the best approved manner, a rail to be approved

by the board of public works. The tracks of all railway companies, when located upon the streets or avenues of the city, shall be kept in repair and safe in all respects for the use of the traveling public, and said companies shall be liable for all damages resulting by reason of neglect to keep such tracks in repair, or for obstructing the streets or avenues of such city. For injuries to persons or property arising from the failure of such company to keep their tracks in proper repair and free from obstructions, such company shall be liable and the city shall be exempt from liability. The word "companies" as used in this act shall be taken to mean and include any persons, companies, corporations or associations owning or operating any street or other railway in any such city.

Refusal by Railway Company to Pave.

§ 277. [SEC. 3.] In the event of the refusal of such company to pave, repave or repair as required in the foregoing sections, when so directed by the council, upon the paving or repaving of any street upon which their track is laid, the council shall have power to pave, repave or repair the same, and the cost and expense of such paving, repaving or repairing may be collected by levy and sale of any property of said street railway company, in the same manner as special taxes are now or may be collected. Special taxes for the purpose of paying the cost of any such paving or repaving, macadamizing or repairing of any such street railway, may be levied upon the track, including the ties, iron, roadbed and right of way, side-tracks and appurtenances, including buildings and real estate belonging to any such company or person and used for the purpose of such street railway business, all as one property; or upon such parts of such track, appurtenances and property, or any part thereof, as may be within the district paved, repaved, macadamized or repaired, and shall be a lien upon the property levied upon from the time of the levy until satisfied. No mortgage, conveyance, pledge, transfer or incumbrance of any such property, or of any rolling stock or personal property of any such company or person, created or suffered by a company or party, after the time when any street or part thereof, upon which any street railway shall have been laid, shall have been ordered paved, re-

paved, macadamized or repaired, shall be made or suffered except subject to the lien of such special taxes, if such levy be in contemplation. The city collector shall have the power and authority to seize any personal property belonging to any such person or company for the satisfaction of any such special taxes when delinquent, and to sell the same upon advertisement and in the same manner as constables are now or may be authorized to sell personal property, upon execution at law; but failure so to do shall in no wise affect or impair the lien of the tax or any proceeding allowed by law for the enforcement thereof. The railroad track or any other property upon which such special taxes shall be levied, or so much thereof as may be necessary, may be sold for the payment of such special taxes in the same manner and with the same effect as real estate upon which such special taxes may be levied may be sold.

It shall also be competent for any such city to bring a civil action against any party owning or operating any such street railway, and liable to pay said taxes, to recover the amount thereof, or any part thereof delinquent and unpaid, in any court having jurisdiction of the amount, and obtain judgment, and have the execution therefor, and no property, real or personal, shall be exempt from any such execution.

Provided, that real estate shall not be levied upon by execution except by execution out of the district court on the judgment therein, or transcript of judgment filed therein, as is now or hereafter may be provided by law. No defense shall be allowed in any such civil action except such as goes to the groundwork, equity and justice of the tax, and the burden of proof shall rest upon the party assailing the tax. In case part of such special tax shall be shown to be invalid, unjust and inequitable, judgment shall be rendered for such amount as is just and equitable. It shall be competent for the council, upon the written application of any company, association, corporation or person owning any such street railway, to provide that such special taxes shall become delinquent and be payable in installments, as in case of taxes levied upon abutting real estate as hereinafter provided, but such application shall be taken and deemed a waiver of any and all objections to such taxes and the validity thereof. Such application shall be made at or before

the final levy of such taxes. The provision of this act in regard to the levy, collection and enforcement of special taxes to pay the costs of paving, repaving, macadamizing or repairing between the rails of street railways shall apply to such special taxes hereafter levied.

Water, Gas and Sewer Connections.

§ 278. [SEC. 4.] The council shall have power, in any paving district, and it shall be their duty, before the work of paving or repaving is done therein, to require water, gas and sewer connections to be made under such regulations and at such distances from the street mains to the line of the property abutting upon the street ordered paved or repaved, as may be prescribed by ordinance, and shall require that such water-pipe connections may be made by any water works company owning the water pipe main, and that such gas pipe connections may be made by any gas pipe company owning the gas pipe main. And upon neglect or failure of the water or gas companies to do the same, the board of public works may cause the same to be done, and the cost thereof shall be deducted from any indebtedness of the city to such companies, and no bills shall be paid to the said companies by the city until all such expense for pipe laying shall have been liquidated. And the council shall also have power, at any time, to assess the cost of any sewer connections and also of any water connections when the city owns the water and water pipe main upon the property opposite such connections, and to such depth as the council, sitting as a board of equalization, shall deem just and equitable.

Assessments to be Equal and Uniform.

§ 279. [SEC. 5.] All special taxes to cover the cost of any public improvement herein authorized shall be levied and assessed on all blocks, lots, parts of blocks and lots, lands and real estate bounding, abutting or adjacent to such (improvements or within the districts created for the purpose of making such improvement, to the extent of the benefits to such) lots, parts of lots, lands and real estate by reason of such improvement, such benefits to be equal and uniform. Such assessments may be according to the square foot or foot frontage, and may be prorated and scaled back from the line of such improvement and

an allowance made for corner lots so that they shall not be assessed at full rate on both streets, according to such rules as the board of equalization shall consider fair and equitable; and all such assessment and finding of benefits shall not be subject to review in any legal or equitable action, except for fraud, gross injustice or mistake. *Provided*, that when any public improvement shall extend into or through any unsubdivided tract or parcel or parcels of land, said taxes shall be levied so as not to be charged against the real estate adjoining such improvement for a greater depth than the average distance through the subdivided real estate to be taxed for said purpose.

Description of Property.

§ 280. [SEC. 6.] It shall be sufficient, in any case, in making a levy or assessment of any tax, to describe the lot or piece of ground as the same is platted and recorded, although the same may belong to several persons; but in case any lot or piece of ground belongs to different persons, the owner of any part thereof may pay his proportion of the tax on such lot or piece of ground, and his proper share may be determined by the city collector.

Cost of Work at Intersections.

§ 281. [SEC. 7.] The cost and expense of grading, filling, culverting, curbing, guttering or otherwise improving, constructing or repairing streets, avenues, alleys and sidewalks at their intersections, may be included in the special tax levied for the construction or improvement of any one street, avenue, alley or sidewalk, as may be deemed best by the council.

When Special Taxes May Be Levied.

§ 282. [SEC. 8.] Special taxes may be levied as the improvements are completed in front of or along, or upon any block or lot or part thereof or piece of ground, or at the time the improvement is entirely completed, or otherwise, as shall be provided in the ordinance levying the tax.

Collector to Give Notice of Delinquency.

§ 283. [SEC. 9.] When any special tax is levied it shall be the duty of the city recorder to deliver to the city collector a certified copy of the ordinance levying such tax, and such col-

lector shall, without delay, give at least five days' notice in one or more newspapers having general circulation in said city, of the time when such tax will become delinquent.

Sewers and Drains.

§ 284. [SEC. 10.] Special taxes may be levied by the council for the purpose of paying the cost of constructing or reconstructing sewers or drains within the city; such taxes to be levied on the real estate lying and being within the sewerage district in which such sewerage or drain may be situated, to the extent of the benefits to such property, by reason of such improvement, the benefits to such property to be determined by the council, sitting as a board of equalization; *Provided*, that in cases where the council sitting as such board of equalization, shall find such benefits to be equal and uniform, such levy may be according to the front feet or square feet of lots or real estate within said sewerage district, or according to such other rule as the council, sitting as such board of equalization, may adopt for such distribution or adjustment of such cost upon the lots or real estate in such district benefited by such improvement; and all taxes or assessments made for sewerage or drainage purposes shall be collected in the same manner as other special assessments, and shall be subject to the same penalty.

Board of Public Works.

§ 285. [SEC. 11.] There shall be in each city of the first class a board of public works, which shall consist of five members, residents and freeholders of the city, to be appointed by the council before the first Monday of July, 1890, for the term of two years. The council shall designate one of the members of such board to be the chairman thereof. The salaries of the members of such board of public works shall be fixed by ordinance, and the salary of the chairman shall not exceed fifteen hundred (\$1,500) dollars per annum and the salary of each of the other members shall not exceed the sum of five hundred (\$500) dollars per annum. Each member of said board shall, before entering upon the discharge of his duties, take an oath to faithfully discharge the duties of his office, and enter into a

bond to such city with two or more good and sufficient sureties, to be approved by the council, the bond of the chairman to be in the sum of fifteen thousand (\$15,000) dollars, each conditioned for the faithful performance of his duties as a member of such board of public works.

The chairman of such board shall devote all necessary time to the performance of his official duty, and no member of such board shall ever be, directly or indirectly, interested in any contract entered into by them on behalf of such city, nor shall he be interested, either directly or indirectly, in the purchase of any material to be used or applied in or about the use or purposes contemplated by this act. It shall be the duty of such board of public works, and it shall have power to make contracts on behalf of the city, for the performance of all such work and the erection of all such improvements as may be ordered by the council, but all such contracts shall be subject to the approval or rejection of the council ; to superintend the performance of all such work and the erection of such improvements, except the supervision of the construction of city halls, market houses, jails or other public buildings. It shall also be the duty of said board to approve the estimates of the city engineer which may be made from time to time, of the value of work as the same may progress ; to accept any work done or improvement made, when the same shall be fully completed according to contract, subject, however, to the approval of the council, and to perform such other duties as may be devolved upon them by ordinance. Any member of such board may at any time be removed from office by a vote of two-thirds of the members of the council, for sufficient cause, and the proceedings in that behalf shall be entered in the journal of the council ; *Provided*, that the council shall previously cause a copy of the charges preferred against such member sought to be removed, and notice of the time and place of hearing the same, to be served on him at least ten days previous to the time so assigned, and opportunity to be given him to make his defense.

Limit of the Bonded Indebtedness.

§ 286. [SEC. 12.] Nothing in this act shall be so construed or held to authorize any city of the "first or second class"

to issue bonds of the city either as district bonds, for paving the streets, or for paving said street intersections, or spaces opposite alleys in said city, or for any purpose whatever, to any amount beyond that fixed as the limit of the bonded indebtedness of said city by congressional enactment.

Notice of Intention to Levy Taxes.

§ 287. [SEC. 13.] In all cases before the levy of any taxes for any improvements provided for in this act the city council shall give notice of intention to levy said taxes, naming the purposes for which the taxes are to be levied, which notice shall be published at least twenty days in a newspaper published within such city. Such notice shall describe the improvements so proposed, the boundaries of the district to be affected or benefited by such improvements; the estimated cost of such improvements and designate the time set for such hearing. If at or before the time so fixed written objections to such improvements signed by the owners of one-half of the front feet abutting upon that portion of the street, lane, avenue or alley to be so improved be not filed with the recorder the council shall be deemed to have acquired jurisdiction to order the making of such improvements.

When Act Took Effect.

§ 288. [SEC. 14.] This act shall take effect on the first day of May, one thousand eight hundred and ninety.
[March 13, 1890.]

LAYING OUT AND PLATTING TOWNS.

AN ACT CONCERNING THE LAYING OUT AND PLATTING OF TOWNS.

APPROVED MARCH 13, 1890.

Owner or Trustee May Plat.

§ 289. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That it shall be lawful for any owner or owners of any land, or any trustee

or trustees selected by such owners, to lay out and plat such land into lots, streets, alleys and public places.

Accurate Map to be Made Out.

§ 290. [SEC. 2.] Whenever any lands are hereafter laid out and platted as mentioned in section one, the owner or owners of the same, or any trustee or trustees selected by such owner or owners, shall cause to be made out an accurate map or plat thereof, particularly setting forth and describing:

First—All the parcels of ground so laid out and platted by their boundaries, course and extent, and whether they are intended for avenues, streets, lanes, alleys, commons or other public uses, together with such as may be reserved for public purposes.

Second—All lots intended for sale by numbers and their precise length and width.

Acknowledgment Required—Filed for Record.

§ 291. [SEC. 3.] Such map or plat shall be acknowledged by such owner or owners, or trustee, before some officer authorized by law to take the acknowledgment of conveyances of real estate, and certified by the surveyor making such plat, and shall be filed and recorded in the office of the county recorder of the county in which the said lands so platted and laid out are situated.

Dedication of Streets, etc.

§ 292. [SEC. 4.] Such maps and plats when made, acknowledged, filed and recorded with the county recorder shall be a dedication of all such avenues, streets, lanes, alleys, commons or other public places or blocks, and sufficient to vest the fee of such parcels of land as are therein expressed, named or intended for public uses for the inhabitants of such town and for the public for the uses therein named or intended.

Penalty.

§ 293. [SEC. 5.] If any person shall sell or offer for sale any lot so platted according to said plat within any town or addition, before the map or plat thereof is made out, acknowledged, filed and recorded as aforesaid, such person shall forfeit

to the county in which such town or addition is located, a sum not exceeding three hundred dollars for every lot which he shall sell. Such a forfeiture shall be recovered in the name of such county in an action brought by the prosecuting attorney thereof.

Date of Approval.

§ 294. [SEC. 6.] This act shall take effect upon its approval.

[March 13, 1890.]

MAYOR'S VETO.

AN ACT GIVING THE MAYOR OF CITIES OF THE FIRST AND SECOND CLASS A QUALIFIED VETO, AND FOR OTHER PURPOSES.

APPROVED FEBRUARY 27, 1892.

Veto Power.

§ 295. [SEC. 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* Every ordinance passed and every resolution adopted or contract approved by the city council appropriating or involving the expenditure of money shall, within twenty-four hours after the action of the city council, be presented to the mayor for his approval. If he approve the ordinance, resolution or contract, as the case may be, he shall sign the same; if not, he shall return it with his objections in writing to the city recorder, who shall present the same to the city council at the next regular meeting thereof. Each ordinance, contract or resolution shall stand as reconsidered in such city council. The council shall cause the objections of the mayor to be entered at large upon the minutes and proceed forthwith to consider the question pending, which shall be in this form: "Shall the ordinance, contract or resolution, as the case may be, pass, notwithstanding the objections of the

mayor thereto?" If two-thirds of all the members of such council vote in the affirmative, the presiding officer shall certify that fact on the ordinance, contract or resolution, attesting the same by his signature. The ordinance, contract or resolution thus certified shall be deposited in the office of the city recorder as an authentic act, and shall be valid and become an ordinance in the same manner, and with like effect, as if it had received the approval of the mayor. If the mayor shall fail for five days to return the same to the city recorder, presented to him for his approval as aforesaid, the same shall become thereafter a valid ordinance, contract or resolution, as the case may be, in like manner as if it had been approved by him.

President of Council.

§ 296. [SEC. 2.] The city council shall appoint one of its own members to preside at all its sessions, who shall hold such office until his successor is duly elected and qualified. The official designation of the member so appointed shall be "President of the city council." The said council may also, in the temporary absence of the president, or his inability to perform the duties pertaining to the office, appoint a president *pro tem.*, who shall be temporarily clothed with the powers and duties of the president.

Appointments by the Mayor.

§ 297. [SEC. 3.] That hereafter the mayor shall appoint, by and with the advice and consent of the council, all officers who are now made appointive by the said council.

Application.

§ 298. [SEC. 4.] The provisions of sections 1, 2, 3 of this act shall apply only to cities of the first and second class, and no other.

Repealing Clause.

§ 299. [SEC. 5.] All laws and parts of laws, inconsistent with the provisions of this act, are hereby repealed.

[February 27, 1892.]

ELECTIONS.

AN ACT IN RELATION TO ELECTIONS AND TENURE OF OFFICE.

APPROVED MARCH 10, 1892.

Municipal Election.

§ 300. [SEC. 4.] That on the Tuesday next after the first Monday in November, 1893, and biennially thereafter, there shall be held an election in each city, town, village and school district in the Territory, to fill all offices of the same or pertaining thereto, which by law are, or may be made elective, also for members of the legislative assembly, and the officers then elected shall qualify and enter upon the duties of their respective offices on the first day of January next succeeding their election, and continue in office for two years, and until their successors are duly elected and qualified.

Repeal of Conflicting Acts.

§ 301. [SEC. 5.] That all acts and parts of acts, in so far as they provide for holding elections to fill any of the offices mentioned in this act (other than for special elections to fill vacancies), or in any manner for fixing the tenure of such offices otherwise than in this act provided, are hereby repealed.

Cities of Metropolitan Class.

§ 302. [SEC. 6.] Nothing in this act shall apply to cities of the metropolitan class.

When to Take Effect.

§ 303. [SEC. 7.] This act shall take effect from and after May 31, 1892.

[March 10, 1892.]

ASSESSMENT AND COLLECTION OF TAXES.

AN ACT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES IN INCORPORATED CITIES, TOWNS AND VILLAGES.

APPROVED MARCH 10, 1892.

County Assessor to Assess City Property.

§ 304. [SECTION 1.] *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* In the year 1893, and thereafter, the assessments for the taxes of each incorporated city, town and village in the Territory of Utah shall be made by the county assessor of the county in which such incorporated city, town or village is situate, at the same time that assessments for Territorial and county taxes are made, and the list of the property in each incorporated city, town or village in his county, and the valuation thereof, shall be so made by the county assessor that the property in each and the valuation thereof can be separately shown.

Statement to City Recorder.

§ 305. [SEC. 2.] On or before the first Monday of June in each year the county assessor of each county in which there is situated any incorporated city, town or village shall deliver to the clerk or recorder of each city of the third class and incorporated town or village a copy of all that part of the assessment roll of the county which contains the assessment of property in such city, town or village, and showing the aggregate valuation of the taxable property in each, which copy shall be retained by said city, town or village as the basis for taxation, as herein provided, until another assessment is made, and to each city of the first and second class a statement showing the aggregate valuation of all the taxable property in such cities.

City Council to Determine the Rate.

§ 306. [SEC. 3.] The city council of each city of the first or second class shall, on or before the first Monday of July in

each year, determine the rate of the general city tax, levy the same, and certify the rate and levy to the county clerk of the county in which such city is situate.

How Assessment Equalized.

§ 307. [SEC. 4.] The county court of each county, as a board of equalization, shall equalize the assessment roll of the whole county, including the assessment for general taxes of cities of the first or second class situated in the county, at the times and in the manner provided by law for equalizing assessments for Territorial and county taxes. The mayor of said city, or a member of the city council thereof appointed by the council, may sit with the county court and be a member of the equalizing board.

County Collector to Collect City Tax.

§ 308. [SEC. 5.] The general city tax of each city of the first or second class shall be extended on the general roll by the county clerk, in a separate column, at the rate certified by the city council, at the same time the Territorial and county taxes are extended, and the whole taxes shall be carried into a column of aggregates, and the whole taxes, including the general tax of cities of the first or second class, shall be collected by the county collector at the times and in the manner provided by law for collecting Territorial and county taxes, and the warrant to the county collector shall include such city taxes, and confer on him the same powers respecting the collection of taxes and sale of delinquent property as are conferred respecting the collection of Territorial and county taxes. *Provided*, the city council may by ordinance provide that the county collector shall receive the receipts of such persons as may be named in the ordinance in lieu of such city tax, and the said collector is hereby authorized to issue his receipt for said city tax upon receiving the receipts provided for in such ordinance.

County Collector Shall Give Bond to City.

§ 309. [SEC. 6.] The county collector of any county in which there is situated a city of the first or second class, in each year, and before the time appointed for receiving or collecting

the taxes of the year, shall give to each city of the first or second class a bond in such sum as the city council may require, but not exceeding double the amount of the city tax for the year, with at least two sureties, conditioned for the faithful performance of his duties as collector of the city tax, and the bond and sureties shall be subject to the approval of the mayor or city council of said city.

Monthly Settlements with City Treasurer.

§ 310. [SEC. 7.] It shall be the duty of the county collector to pay to the treasurer of each city of the first or second class, in his county, on the first day of October in each year, and on the first day of each succeeding month until final settlement, all moneys in his hands collected for city taxes, and on or before the first day of March in each year, to make a final settlement with the city treasurer respecting the city taxes, and pay over all moneys then due the city. The city treasurer shall give said collector duplicate receipts for each payment, and the collector shall give one to the city auditor, and the other shall be an acquittance to him in settling with the county treasurer, to the extent of the payment shown.

Compensation to be Paid County.

§ 311. [SEC. 8.] Each city of the first class shall pay to the county in which it is situated one-half of one per cent., and each city of the second class shall pay to the county one per cent., and such payment shall be in full for the services and compensation of the county assessor and collector in assessing, collecting and paying over the city tax; and cities of the third class and incorporated towns and villages shall pay one per cent. on the taxes collected in such city, town or village in full for the services and compensation of the county assessor in assessing the tax and preparing the copy of the assessment roll as provided in section 2 of this act, and the assessor and collector shall have no claim against the city therefor.

City Treasurer to Collect Special Taxes.

§ 312. [SEC. 9.] The office of assessor for each incorporated city, town and village, and the office of collector in each

city of the first or second class, is hereby abolished, and special taxes and assessments in such cities of the first or second class shall be collected by the respective city treasurers, and such special taxes and assessments shall be levied and collected as provided by law and the ordinances of the city, but for the purpose of levying and collecting special taxes in said cities, the city council may equalize the assessment in the manner provided by law.

Acts in Conflict Repealed.

§ 313. [SEC. 11.] All acts and parts of acts in conflict with the provisions of this act are repealed.

When Act Takes Effect.

§ 314. [SEC. 12.] This act shall take effect on the first day of January, 1893.

[March 10, 1892.]



REVISED ORDINANCES
OF
SALT LAKE CITY.

AN ORDINANCE

REVISING AND ARRANGING THE

ORDINANCES OF SALT LAKE CITY.

CHAPTER I.

Repealing Existing Ordinances.

Be it ordained by the City Council of Salt Lake City as follows:

SECTION 1. The ordinances contained in this chapter and the chapters following shall be known as the "Revised Ordinances of Salt Lake City," and so far as their provisions are the same in effect as those of previously existing ordinances, they shall be construed as continuations thereof; but subject to the above limitation and the provisions of the next section—all ordinances of the city heretofore in force are hereby repealed.

Accrued Rights.

SEC. 2. These revised ordinances shall not affect any act done, any right accrued, any penalty incurred, any suit, prosecution or proceeding pending, or the tenure of office of any person holding office, at the time when they take effect; nor shall the repeal of any ordinance thereby have the effect of reviving any ordinance theretofore repealed or superseded.

Meaning of Words.

SEC. 3. Words used in the revised ordinances in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter; the

singular number includes the plural, and the plural the singular; the word person includes firm and corporation as well as a natural person.

Charter Provisions.

SEC. 4. The act of incorporation of said city, approved January 20, 1860, and all acts amendatory thereof, are hereby declared to have the same force and effect as if the provisions thereof had been specially ordained.

Penalty for Violating Ordinances.

SEC. 5. Whoever violates any provision of any ordinance of the city, whether included in these revised ordinances or hereafter enacted, shall, unless other provision is made, be liable to a penalty of not more than fifty dollars for each offense.

Who Liable to Penalty.

SEC. 6. When anything is prohibited in an ordinance, not only the persons actually doing the prohibited thing, but also the employers and all other persons concerned therein, shall be liable to the penalty prescribed.

Implied Power to License.

SEC. 7. When, in an ordinance, anything is prohibited from being done without the license of a certain officer or officers, such officer or officers shall have the power to license such thing to be done.

The Word "Street."

SEC. 8. The words "street" and "streets," when used in an ordinance, shall be construed as including alleys, lanes, courts, public squares, public places and sidewalks, unless such construction would be inconsistent with the manifest intent of the ordinance.

When Ordinance Goes Into Effect.

SEC. 9. An ordinance, unless otherwise expressly provided therein, shall not go into effect until thirty days after the date of its passage.

CHAPTER II.

APPOINTMENTS.

By the Mayor.

SECTION 1. The mayor shall, by and with the advice and consent of the council, appoint, on or before the first Tuesday in February, 1894, and biennially, thereafter, the following named officers, who shall hold their offices for the term of two years, unless sooner removed by the city council, and until their successors are appointed and qualified :

An assessor and collector of water rates.

An attorney.

An auditor of public accounts.

A chief of police.

A captain of police.

A chief of the fire department.

An engineer.

An inspector of buildings.

An inspector of provisions.

A jailer.

A poundkeeper. (See chapter 15, sec. 2.)

A sealer of weights and measures.

A sexton.

A superintendent of sewers.

A superintendent of waterworks.

A supervisor of streets.

A watermaster.

A chief weighmaster and such number of city weighmasters as the council may deem necessary.

Board of Public Works.

SEC. 2. The mayor shall, by and with the advice and consent of the council, appoint, before the first Monday in July,

1890, and biennially thereafter, a board of public works, which shall consist of five members, residents and freeholders of the city. The mayor shall designate one of the members of such board to be chairman thereof.

[May 29, 1890.]

Board of Health, etc.

SEC. 3. The mayor shall, by and with the advice and consent of the council, appoint, on the last Tuesday in June, 1890, and biennially thereafter, a board of health, which shall be composed of the mayor, who shall be ex-officio chairman of the board, a health commissioner, a city physician and two other citizens. The mayor shall also appoint at the same time and in similar manner a sanitary inspector.

[May 29, 1890.]

Police—Regular and Special.

SEC. 4. The mayor shall, by and with the advice and consent of the city council, appoint the regular police of said city, to the number which may from time to time be prescribed by the city council, and shall remove the same at pleasure. He shall also appoint special police when in his judgment the public good may require such action, but no such special police shall be appointed for a longer period than ten days without the consent of the city council. But the same person shall not be reappointed at the expiration of the ten days without the consent of the city council; and all such appointments of special police shall be reported by the mayor to the city council at its next meeting after such appointment.

[March 9, 1860; April 15, 1884.]

Assessor of Water Rates' Deputy.

SEC. 5. The assessor and collector of water rates may, with the approval of the city council, appoint a deputy, for whose official acts he shall be responsible, and who shall hold his office at the pleasure of the council.

[June 1, 1890.]

City Attorney's Assistant.

SEC. 6. The city attorney may, with the approval of the city council, appoint an assistant, for whose official acts he shall

be responsible, and who shall hold his office at the pleasure of the council.

[September 3, 1872.]

Auditor's Deputy.

SEC. 7. The auditor may appoint, by and with the advice and consent of the city council, a deputy, for whose official acts he shall be responsible.

[June 8, 1882.]

Board of Public Works' Clerk, etc.

SEC. 8. The board of public works shall have authority to employ a clerk and competent inspectors.

[May 29, 1890.]

Board of Health Clerk.

SEC. 9. The board of health shall employ a clerk, who shall hold his office at their pleasure.

[May 29, 1890.]

Desk Sergeants.

SEC. 10. The mayor may, by and with the advice and consent of the city council, appoint three desk sergeants, for whose official acts he shall be responsible.

Engineer's Assistants.

SEC. 11. The city engineer may appoint the following assistants, or such of them as may be actually required, for service in the city engineer's department:

One first assistant engineer.

One second assistant engineer.

One chief draughtsman.

One assistant draughtsman.

Two rodmen.

Two chainmen.

One inspector of sewers.

One clerk ;

And such other assistants as the necessities of the service may demand.

Provided, that the city engineer, before appointing any of the assistants enumerated in this section, shall submit to the city council a statement setting forth the necessity for such assistants and the appointment thereof, and obtain the consent of the council so to do.

[April 1, 1890.]

Fire Department.

SEC. 12. The chief of the fire department shall, by and with the advice and consent of the city council, appoint all officers and members of the fire department, as provided in chapter 17 of these revised ordinances.

Inspector of Buildings' Deputy.

SEC. 13. The inspector of buildings shall have power, by and with the advice and consent of the council, to appoint one or more deputies. [See section 14, chapter 9.]

Jailer's Assistant.

SEC. 14. The jailer may appoint, by and with the advice and consent of the council, an assistant, for whose official acts he shall be responsible.

Marshal's Deputies.

SEC. 15. The marshal may, by and with the advice and consent of the city council, appoint deputies, as he may deem necessary, for whose official acts he shall be responsible.

[January 4, 1859; February 14, 1888.]

Police Justice.

SEC. 16. The city council may, by resolution, designate one of the justices of the peace heretofore elected at a municipal election to act for the city at large, and the city council may designate the place where such police justice shall transact the business pertaining to his office. The said officer to be removed by the council at their pleasure. [See charter, page 60.]

Police Justice's Clerk.

SEC. 17. The police justice shall, by and with the advice and consent of the city council, have authority to appoint a clerk.

Recorder's Deputy, Clerk, etc.

SEC. 18. The recorder may appoint a deputy, who, under the direction of the recorder, or in his absence, may perform all the acts or duties pertaining to the office of recorder. The recorder shall be responsible for the acts of his deputy.

[January 3, 1882; February 14, 1888.]

The recorder may also appoint a clerk and a typewriter.

The recorder may also appoint a deputy dog-tax collector, according to the provisions of chapter 12 of these revised ordinances.

All the said appointments shall be by and with the advice and consent of the city council.

Sealer of Weights and Measures.

SEC. 19. The sealer of weights and measures may appoint a deputy, subject to the approval of the council.

[February 14, 1888.]

City Sexton's Deputy.

SEC. 20. The city sexton may, by and with the advice and consent of the city council, appoint a deputy, for whose official acts he shall be responsible.

[February 14, 1888.]

Supervisor of Streets' Assistants.

SEC. 21. The supervisor of streets may appoint, by and with the consent of the city council, foremen, who shall be under his direction, and for whose official acts he shall be responsible.

[March 3, 1860; February 14, 1888.]

Treasurer's Deputy—License Inspector.

SEC. 22. The city treasurer may, by and with the advice and consent of the city council, appoint a deputy.

[October 21, 1890.]

He may also appoint, by and with the advice and consent of the city council, a license inspector.

Watermaster's Assistants.

SEC. 23. The city watermaster may, by and with the advice and consent of the city council, appoint foremen, who shall receive

from said watermaster certificates of appointment, and for whose official acts he shall be responsible.

[April 3, 1883.]

Assessor and Collector's Deputies.

SEC. 24. The city assessor and collector is hereby authorized, when necessary, to appoint, by and with the advice and consent of the city council, one or more deputies, for whose official acts he shall be responsible.

[March 12, 1878.]

CHAPTER III.

ATTORNEY.

Duties.

SECTION 1. It shall be the duty of the city attorney to prosecute and defend in all courts in all actions on behalf of said city, and defend in all actions against any officer or agent of the city on account of official acts; to take appeals or sue out writs of error on behalf of the city or any officer as aforesaid, with the consent and approval of the mayor, and make the necessary affidavits and execute the necessary bonds in the name of said city; to advise the city council or their committees, or any city officer, on such legal questions as may arise in relation to the business of the city, and attend the meetings of the city council; having personal knowledge of any violation of a city ordinance, or upon receiving reliable information of any such violation, he shall immediately institute the necessary steps to bring the offender to punishment.

[September 3, 1872; February 14, 1888.]

Record and Docket.

SEC. 2. He shall keep a record showing all claims placed in his hands for collection, all moneys received by him on account of the city, and all payments made by him to the city treasurer, and also keep a docket book, in which he shall enter an abstract of suits pending in any court, and judgments in favor of or against said city.

[September 3, 1872.]

Settlements and Reports.

SEC. 3. He shall, at the end of each quarter, or oftener if required, settle with the auditor of public accounts, and pay to the city treasurer all moneys in his hands belonging to the city. He shall report quarterly, or oftener if required, to the city council, the condition of the business of the city in his hands or control.

[September 3, 1872.]

CHAPTER IV.

AUDITOR OF PUBLIC ACCOUNTS.

Duties.

SECTION 1. It shall be the duty of the auditor of public accounts to examine and audit all public accounts connected with the financial affairs of the city, and issue orders upon the treasurer in liquidation of claims allowed or appropriations made by the city council. He shall have the custody of and keep all books, papers, records, documents, vouchers, and all conveyances, leases, mortgages, bonds and other securities appertaining to the fiscal affairs of the city, which are not required by ordinance to be kept in some other office or place.

[January 4, 1859; February 14, 1888.]

Reports—Books in His Custody.

SEC. 2. He shall make a report to the city council quarterly, setting forth a statement of the amount of city revenue, specifying in said statement from what source derived and for what disbursed, and shall deliver to his successor in office all books, moneys, accounts or other property in his custody belonging to the city, as soon as his successor shall be qualified.

[January 4, 1859; February 14, 1888.]

CHAPTER V.

BOARD OF HEALTH.

Duties and Powers of Board.

SECTION 1. The board of health shall exercise general supervision over the health of the city, effect all measures necessary to promote the health and cleanliness thereof. It shall abate all nuisances of every description on public and private property. It shall use all due measures to prevent the introduction or spread within the city, or within five (5) miles thereof, of any malignant, contagious or infectious diseases, and remove, quarantine or otherwise dispose of any person or persons, clothing or effects attacked with or having been exposed to such diseases, and shall adopt such rules and regulations necessary to prevent the introduction or spread of malignant, contagious or infectious diseases within the city, or within five (5) miles thereof. It shall be the registry of births, deaths and burials, and shall make necessary rules for conducting such registration, and all permits for removals or burials of the dead shall be issued by the health commissioner. It shall make a report to the city council, the last Tuesday in each quarter of the fiscal year (or oftener if directed by the council), of all its proceedings of the sanitary condition of the city and the cleanliness thereof, and shall make such recommendations to said body which may improve the sanitary condition of the city.

It shall have power to stop and prevent the discharge of sewerage from any premises within the city limits, into and upon any public highway, stream, watercourse or public place, or into any drain, cesspool or private sewer, and to order a connection to be made with the public sewer for the removal of sewage from any premises whenever, in the opinion of said board of health, the public interest shall demand it.

And the said board may require the prompt repair of all leaks or other defects in plumbing throughout the city, and shall have power to condemn and abate all plumbing which is deficient under the requirements of the plumbing ordinances. And where from change of occupants or of business, or from other cause, it may be necessary in the opinion of said board to alter or increase the kind and number of plumbing fixtures in any building, they shall have power to require such amendments to be made as will meet the necessities in the case. And any person or corporation being the owner of such premises who shall neglect or refuse to comply with the order of said board of health within twenty days after the service of a notice by said board in writing, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten nor more than one hundred dollars.

[May 29, 1890.]

Duty of Health Commissioner.

SEC. 2. The health commissioner, who shall be a physician in good standing, shall be the executive officer of the board. He shall take notice of all ordinances relating to the sanitary condition of the city and enforce the same, and to this end he is hereby authorized to enter, in the day-time, any premises, houses or buildings within five (5) miles thereof, and further, he may command the aid of the police force to assist in the discharge of his duties, if at any time it be necessary to do so.

[May 29, 1890.]

Duty of City Physician.

SEC. 3. The city physician shall prescribe for and visit the city prisoners, and such cases of the city poor as the health commissioner may designate by written order; shall assist in public vaccinations and in the work of quarantine.

[May 29, 1890.]

Meetings of Board.

SEC. 4. The meetings of the board shall be held the first Monday in each month. Special meetings may be called by the

mayor at any time, and shall be called by him at the request of two (2) members of the board.

[May 29, 1890.]

Duty of Clerk.

SEC. 5. The clerk of the board shall perform such duties as may be required by the health commissioner, the board of health or any city ordinance. He shall keep in suitable books a full and complete record of the rules, accounts and proceedings of the board, and an account of all expenses incurred, the manner of disbursement, and also of all money received by the board. Before any money is disbursed, the accounts thereof shall be examined and approved by the board, signed by the health commissioner, and examined and audited by the auditor of public accounts.

[May 29, 1890.]

Duty of Sanitary Inspector.

SEC. 6. The sanitary inspector shall obey all orders of the health commissioner, and all orders and resolutions of the board of health. He shall, under the direction of the health commissioner, employ all necessary teams, drivers and wagons to be employed in cleaning the streets and alleys of the city, and to remove all garbage, dead animals, refuse animal and vegetable matter, offal and all other matter detrimental to the public health; and under the direction of the health commissioner, the sanitary inspector shall have control of said teams and drivers, and shall order and direct the work to be done by said teams and drivers; and shall be responsible under the health commissioner for the sanitary condition of the streets, alleys and public places, and it shall be his duty at all times to see that said work is properly and thoroughly done.

[May 29, 1890.]

Daily Inspection and Reports.

SEC. 7. The sanitary inspector shall, at his own expense, provide himself with a horse or horses and vehicle, for the purpose of making daily inspection of the manner in which the work so under his control is conducted, and shall make daily

reports to the health commissioner of the nature and quantity of the work done and the sanitary condition of the city.

[May 29, 1890.]

Nuisance Ordinance.

SEC. 8. It shall be the duty of the sanitary inspector to report immediately to the health commissioner any and all violations of chapter 27, regulating nuisances in the city of Salt Lake, that may come to his knowledge.

[May 29, 1890.]

Place of Business.

SEC. 9. A suitable place of business shall be provided for the board of health by the city council.

[May 29, 1890.]

Penalty for Violation.

SEC. 10. That any person who violates, disobeys, omits, neglects or refuses to comply with, or resists any of the provisions of this chapter, or who refuses or neglects to obey any of the rules, orders, proclamations or sanitary regulations of the board of health, health commissioner or mayor, or who omits, neglects or refuses to comply with, or who resists any officers, or orders, or special regulations of said board of health, health commissioner or mayor, shall, upon conviction, be fined in a sum not less than five (\$5) dollars nor more than one hundred (\$100) dollars.

[May 29, 1890.]

RULES APPROVED BY THE BOARD OF HEALTH, AUGUST 8, 1890.

Births.

RULE I. All physicians and widwives shall return to the board of health a statement of each birth at the end of each month, giving date of birth, name, sex and color, also the name, age, nativity, occupation and residence of parents.

Burials.

RULE I. No person shall receive a permit for burial who does not present to the board of health a certificate of death signed by the attending physician or midwife and undertaker.

RULE II. No person shall be allowed to remove from Salt Lake City the remains of a dead person without first presenting to the board of health a certificate of death properly signed by a physician, in good standing, and an undertaker, and must obtain from the health commissioner a permit for such transit.

RULE III. Any person or persons having died from diphtheria, scarlet fever or smallpox shall have no public burial.

Quarantine.

RULE I. It shall be the duty of all physicians to report immediately to the board of health all cases of diphtheria, smallpox and scarlet fever.

RULE II. The place wherein any person or persons are located having any of the diseases mentioned in Rule I shall have displayed thereon a yellow flag, upon which is printed in plain black letters the name of the disease which therein exists.

RULE III. The quarantine flag must be allowed to remain at least twenty-one (21) days after scarlet fever and seven (7) days after diphtheria is first reported, and it shall be unlawful for any person or persons to remove or interfere, in any way, with said flag without permission from health commissioner.

RULE IV. No person who is, or has been, affected with any of the diseases named in Rule I shall be permitted to leave the house in which he or she resides or lodges without a permit from the board of health, to be issued on receipt of a certificate from the attending physician that all danger of communicating the disease has passed; and no person residing or lodging in a house wherein such a disease is present shall attend school, church or other public place without permission from the board of health. Twenty-eight (28) days must have elapsed after the quarantine has been removed from places wherein scarlet fever has existed, and seven (7) days wherein diphtheria has existed, before a permit to attend school will be granted.

CHAPTER VI.

BOARD OF PUBLIC WORKS.

Members—Chairman.

SECTION 1. No member of the board of public works shall ever be, directly or indirectly, interested in any contract entered into by them on behalf of said city, nor shall they or either of them be interested, either directly or indirectly, in the purchase of any material to be used or applied in or about the performance of any such contract, or in any work of improvement of said city. The chairman shall devote all necessary time to the performance of his official duties, and shall give to the performance of all contracts and the erection and construction of all improvements contemplated by this ordinance, his personal supervision.

[May 29, 1890.]

Duties of Board—Contracts.

SEC. 2. It shall be the duty of the board of public works of Salt Lake City, to make contracts on behalf of said city for the performance of all such works and the erection of all such improvements as may be ordered by the council, but only with the approval of the council; to superintend the performance of all contracts, and the construction and erection of all such improvements; to approve the estimates of the city engineer which may be made from time to time, of the value of work as the same may progress; to accept any work done or improvements made when the same shall be fully completed according to contract, subject however, to the approval of the council; and to perform such duties not herein prescribed as may hereafter be devolved upon them by ordinance. Every contract to be so made by said board shall contain such stipulations as shall require the contractor to erect and maintain good and sufficient

guards, barricades and signals at all unsafe places at or near where the work or improvement contemplated by the contractor is to be done or made; also such stipulations as will render the contractor and his bondsmen in every case liable over to the city for any liability that it may incur for any injury that any person may suffer by reason of the failure to erect and maintain such good and sufficient barricades, guards or signals; every contract shall also contain a provision, that in case any injury to any person shall arise by reason of the failure to erect and maintain such barricades, guards and signals, or by reason of any negligence of the contractor, his agents or employees, during the performance of the contract or before the warrants to become due on the contract shall have been delivered, the city and its officials may withhold such payment so long as shall seem necessary for the indemnity of the city. Such contracts shall also contain a provision that when the contractor shall remove any earth from any street, alley or other public place, the same shall when replaced, be solidly tamped, and the said board shall make such further rules and regulations in the said city's behalf as will insure full protection to the city from loss, or liabilities, and make such further stipulations in such contracts as will insure the city from all loss or liability that may arise by reason of the carelessness or negligence of such contractors, their agents or servants.

[May 29, 1890.]

Specifications—Advertisements—Books.

SEC. 3. It shall be the duty of the board, in connection with the city engineer, to supervise and prepare all specifications for sewer work, paving, macadamizing or repaving, or other work, when necessary to be let by contract, such specifications to be submitted to the city council for approval before being advertised, and to advertise for the same for a period of not less than two weeks; said advertisement to be inserted at least twice a week in a daily paper of the city for the period specified, and in such other additional journals as may be deemed by them expedient and as the council may especially order. The board shall procure and keep a special book to be termed "Book of Specifications," in which shall be entered full and complete

specifications of all details of work to be contracted and advertised for, and also printed copies of all advertisements pertaining to the same, from each newspaper or journal in which advertisements shall have been inserted, with the date when each advertisement was published, together with the cost of the same.

The board shall keep a book of board proceedings, in which shall be entered in detail full and complete minutes of all the transactions of said board at general and special meetings.

[May 29, 1890.]

Books—Minutes—Office Hours.

SEC. 4. The board shall also keep a book termed "A Contract Book," in which all contracts shall be entered in full and signed by the contracting parties. The books in this ordinance provided for shall be regarded as public records and shall be open to the inspection of any officer or taxpayer of the city, and the board shall keep such other books as may be necessary to constitute a complete record of all the business to be transacted by said board or its members. The chairman of the board, unless specially provided by the council, shall keep all the minutes of the proceedings of the board, and make and keep all other records required by said board. He shall keep regular office hours, to be specified on a notice duly attached to the door of the office of the board.

[May 29, 1890.]

Inspectors—Expenditures.

SEC. 5. The board of public works shall have authority to employ competent inspectors upon all works under its charge, to supervise the same, and shall keep an accurate account of expenditures incurred in such supervision, and cause the same to be charged to such works and paid out of the levies to be made therefor; *Provided*, the employment of all inspectors shall be subject to the approval of the city council.

[May 29, 1890.]

Regular and Special Meetings—Quorum—Votes.

SEC. 6. The board of public works shall meet regularly on the evening of the first and third Wednesday of each month at

7 o'clock, and at such additional periods as shall be deemed necessary by the chairman of the board; *Provided*, that at least one day's notice of such special meeting be given to the members thereof. Three members, one of whom must be the chairman or temporary chairman, as hereinafter provided for, shall constitute a quorum to transact business, and the chairman of the board shall be empowered, and to that end may call upon the chief of police or his deputies, to enforce attendance of members at meetings, excepting in case of sickness. Votes upon all questions coming before the board shall be recorded, specifically giving the names of those voting and how the votes are cast.

[September 9, 1890.]

Temporary Chairman—Absence—Special Permit.

SEC. 7. In case of sickness or prolonged absence from the city of the chairman of the board, the mayor, with the approval of the council, shall designate one of the four remaining members to act as temporary chairman, who shall draw the pay and have the same power and perform all the duties of the regular chairman during such sickness or absence, which pay shall be withheld from the chairman for said purpose. The chairman of the board shall not be absent from the city without a special permit from the council. Any absence in violation of these regulations shall be considered a just cause for dismissal from said board.

[May 29, 1890.]

Contracts—Bonds—Abstracts of Bids—Estimates.

SEC. 8. All contracts for grading, paving, repaving, macadamizing or guttering of any street, avenue or alley, or any part thereof, in the city, for which a special tax shall be levied, shall be done by contract with the lowest responsible bidder, to be determined by the board, subject to the approval of the council. The right to reject any and all bids shall be reserved in all cases. Good and sufficient bonds shall be required of all contractors, to be approved by board subject to the approval of the council. The board shall, after duly advertising for bids

for any public work that may be ordered by the council, and after opening the bids, cause a contract, together with an abstract of the bids to be made, to be submitted to the council with its recommendations touching the same, and when any contract shall be confirmed by the council, the board may at once assume charge of the performance thereof. All monthly or other estimates of the city engineer based upon contract work to be done under the supervision of the board shall be approved by the board, and be so duly certified by its chairman before the same shall be embraced in any appropriation ordinance.

[May 29, 1890.]

Duties of Board.

SEC. 9. It shall be the duty of the board to supervise any and all excavations of streets for water, gas or sewer pipe, or other purposes; it shall see that streets are not unduly obstructed by persons performing any work therein; it shall see that proper barricades and guards and signals at all such places are put up and maintained by the contractors, owners or persons doing such work; it shall see that all earth, paving or other material removed from the streets and alleys by any persons for any of the above purposes are properly replaced, and that earth so removed is solidly tamped where replaced and left in as good condition as it was before the same was removed, and by them maintained in such condition for six months; it shall see that when paving material is removed that the same is kept properly separated from the soil, and that all deficiencies in such paving material are made good when the paving is replaced; also that all surplus material shall be taken off the street by the person holding the permit below provided for, or under such rules and regulations as the board may provide.

[May 29, 1890.]

Excavations—Signals—Penalty.

SEC. 10. No person shall be allowed to make any excavations in any street or alley, or remove any pavement or other material forming any street or improvement thereon, without a permit from the board, to be signed by the chairman, to be

made only upon the written application of the party desiring such permit, which application shall be filed away in an orderly manner and duly preserved; such person shall be required to erect and maintain such good and sufficient barricades, guards, lights and signals as will protect the public from loss or injury. Any person who shall do or perform any of the acts prohibited by this section, and any person who shall, while acting under the permit of said board, fail to erect and maintain good and sufficient barricades, guards, lights and signals, as herein provided, shall, upon conviction thereof, be fined in any sum not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars. The board of public works may call upon the chief of police or street supervisor to aid in enforcing the provisions of this section, under such rules and regulations as it may prescribe, subject to the approval of the mayor and council.

[May 29, 1890.]

Members to Accept No Other Office.

SEC. 11. No member of such board shall accept any other public office created by law, or nomination of any party therefor; so to do shall be deemed a resignation of his said office.

[May 29, 1890.]

Removal of Members.

SEC. 12. Any member of such board may at any time be removed by a vote of two-thirds of the members elected to the council, for sufficient cause, and the proceedings in that behalf shall be entered in the journal of the council.

Provided, that the council shall previously cause a copy of the charges preferred against such member sought to be removed, and a notice of the time and place of hearing, to be served upon him at least ten days previous to the time so assigned, and opportunity be given him to make his defense.

[May 29, 1890.]

Repair of Pavements and Curbs.

SEC. 13. The board of public works shall keep in good repair the pavement on all streets where no contract exists for

said repairs. Said board shall also keep the curb stones in place and raise all sunken curbs to their proper positions.

[May 29, 1890.]

Contractors—Streets—Sidewalks.

SEC. 14. Said board shall require that contractors for paving and also for curbing shall clean up the street along the line of the improvements respectively made by them, and free the sidewalks from all obstruction caused by making the improvements, before the final acceptance of the work by said board.

[May 29, 1890.]

Aprons.

SEC. 15. Said board shall have and they are hereby required to exercise supervision of the aprons placed on gutters and at street crossings, and upon information to said board that said aprons or any thereof are misplaced or mislaid, or injured or destroyed, said board shall take immediate steps to restore, replace and repair the same, and for this purpose said board, or any member thereof, is hereby authorized to call upon the street supervisor to furnish such labor as may be requisite and within his power to provide.

[May 29, 1890.]

Sidewalks.

SEC. 16. Said board shall have supervision of sidewalks where grading or other work on the streets and alleys is being done or performed by contractors, requiring the removal of such walks. Said board is hereby empowered and directed to call upon the street supervisor to examine and report the condition of such walks before removal and thereafter, and when such work on said street or alley is done and performed, to require the contractor performing such work to restore and replace the sidewalks so removed as fully and completely as is practicable and consistent with the condition of the same before removal, and said board shall withhold from said contractors their final estimate until such requirements regarding said walks are complied with.

[May 29, 1890.]

Authority for Expenditures.

SEC. 17. In any and all cases in sections 13, 14, 15 and 16, in this ordinance specified, where the work cannot be performed by the street supervisor, and requiring an expenditure of money, said board shall at once report the fact, together with an estimate, to the city council, and receive authority for making the expenditure desired.

[May 29, 1890.]

Bonds - Sureties.

SEC. 18. Any and all bonds executed or given by any and all contractors for the performance of any public work, fulfillment of any agreement, or performance of any duty in which said contractors may engage with the city, shall be signed by no less than two sureties, who shall be resident freeholders of the county of Salt Lake, Territory of Utah, and who shall each and all justify under oath that they are such resident freeholders, and that they are severally worth the amount of said bond over and above all debts, liabilities, obligations and exemptions. Said sureties shall, if required, furnish under oath a statement of the realty of which they claim to be owners at the time of executing any bond by them as such sureties.

[May 29, 1890.]

Who Not Accepted as Sureties.

SEC. 19. No person or persons, firm or corporations, having any contract or agreement with the city for the performance of any service, or fulfillment of any duty, or obligation for the city, shall be accepted as surety upon the bond of any other contractor having agreements or contracts with the city, and no person holding any official position under or in connection with the city shall be accepted as such surety.

[May 29, 1890.]

Additional Duties of Board.

SEC. 20. It is hereby made the duty of the board of public works to enforce the requirements of this ordinance, and said board is hereby prohibited from accepting or approving any bond for any public work or service not executed in accordance

with the provisions thereof. And in transmitting any bond to the city council for its approval, said board shall certify that they have made due examination and test of all matters by them required to be observed.

[May 29, 1890.]

CHAPTER VII.

BONDS ISSUED FOR CORPORATE PURPOSES.

A RESOLUTION

PROVIDING FOR THE ISSUE OF BONDS FOR CORPORATE PURPOSES.

For \$500,000.

WHEREAS, The corporation of Salt Lake City is now indebted in the sum of about two hundred and fifty thousand dollars, and on the whole of the existing indebtedness the corporation is paying about seven per centum per annum;

Now, for the purpose of borrowing money at a less rate of interest to discharge and refund said indebtedness; for the further purpose of obtaining a greater supply of water for the use of the inhabitants of said city, and for other corporate purposes, it has been deemed prudent and best to issue a series of five hundred one-thousand-dollar bonds, pursuant to an act of the Legislative Assembly of the Territory of Utah, approved March 8, 1888; therefore

SECTION 1. *Be it Resolved by the City Council of Salt Lake City,* That for the purpose of discharging and refunding said indebtedness, obtaining money to increase the water supply of Salt Lake City, and for other corporate purposes, said cor-

poration shall issue a series of five hundred engraved coupon bonds, of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer in Salt Lake City, twenty years after the date thereof, redeemable, however, at the option of said corporation, any time after ten years from the date of their issue; said bonds to bear date of September 1, 1888, with interest from the date thereof at the rate of five per centum per annum, the interest payable on the first day of March, 1889, and semi-annually thereafter on the first days of September and March in each year, in the city of New York, at the banking house of the American Exchange National Bank, or its successors, or at the Deseret National Bank, in Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due; both interest and principal payable in lawful money of the United States; and said bonds shall be exempt from taxation by said city.

SEC. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city.

SEC. 3. Said bonds shall be numbered from one to five hundred, both inclusive; and they shall be registered in numerical order in a book kept for that purpose by the auditor of said city; and said bonds shall be sold only upon the order of the city council, and in such lots and on such terms as it shall designate; and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper dates of payment named therein.

SEC. 4. The seal of the corporation shall not be impressed upon said bonds until the time of sale thereof, and then such impression shall be made in the presence of the mayor, treasurer and committee on finance of said city; *Provided*, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by order of the city council.

SEC. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds, or any part of them, said council shall direct the treasurer of said city to advertise for the sale of bonds to be issued as aforesaid, by causing a notice

of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of sale, and that bids will be received by said treasurer for the purchase of said bonds within fifteen days from the expiration of said publication in said papers; and at the place and time named in said notice the said treasurer of said city, together with the committee on finance of the said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion offered for sale, to the highest bidder or bidders therefor; *Provided*, that said treasurer and said committee on finance shall have the right, in behalf of said city, to reject any and all bids; *and provided further*, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

SEC. 6. For the purpose of providing for the payment of the interest on said bonds, as the same shall become due, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated annually.

SEC. 7. At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated annually, the sum of fifty thousand dollars as a sinking fund to pay the principal of said bonds as the same shall fall due, or be called, as provided in section 8 of this resolution; *Provided*, that nothing herein shall be construed to prohibit the city council at any time from making any other provisions for the redemption of any or all of said bonds after the expiration of said ten years.

SEC. 8. Whenever, after the expiration of ten years from the issuance of said bonds, there is available, as provided in the preceding section, or otherwise, the sum of fifty thousand dollars, or more, it shall be the duty of the city treasurer to publish a notice stating the number of bonds to be redeemed, commencing at the highest number then outstanding, and the date when they will be paid, and if such bonds so numbered in said notice shall not be presented for payment and cancellation at the date mentioned in the publication, then such fund shall

remain in the treasury to discharge such bonds whenever presented; but said called bonds shall draw no interest after the date specified in said notice.

[Adopted July 10, 1888.]

A RESOLUTION

PROVIDING FOR THE ISSUE OF BONDS FOR CORPORATE PURPOSES.

For \$500,000.

WHEREAS, The corporation of Salt Lake City is desirous of borrowing the sum of five hundred thousand dollars for the making of permanent improvements and for other corporate purposes, and it has been deemed prudent and best to issue a series of five hundred one-thousand-dollar bonds, pursuant to an act of the Legislature of the Territory of Utah, approved March 8, 1888; therefore :

SECTION 1. *Be it Resolved by the City Council of Salt Lake City*, That for the purpose of obtaining money for permanent improvements and other corporate purposes, said corporation shall issue a series of five hundred coupon engraved bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer in Salt Lake City twenty years after the date thereof, redeemable, however, at the option of said corporation, any time after ten years from the date of their issue, said bonds to bear date of January first, 1891, with interest from the date thereof at the rate of five per cent. per annum, the interest payable on the first day of July, 1891, and semi-annually thereafter, on the first days of January and July in each year, in the city of New York, at the banking house of the Importers and Traders' National Bank or at the Union National Bank in Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due, both interest and principal payable in lawful money of the United States, and said bonds shall be exempt from taxation by said city.

SEC. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city.

SEC. 3. Said bonds shall be numbered from one to five hundred, both inclusive, and they shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and said bonds shall be sold only upon the order of the city council, and in such lots and on such terms as it shall designate; and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper dates of payment named therein.

SEC. 4. The seal of the corporation shall not be impressed upon said bonds until the time of sale thereof, and then such impression shall be made in the presence of the mayor and treasurer and committee of finance of said city; *Provided*, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by order of the city council.

SEC. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds, or any part of them, said council shall direct the treasurer of said city to advertise for the sale of said bonds, to be issued as aforesaid, by causing a notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of sale, and that bids will be received by said treasurer for the purchase of said bonds within fifteen days from the expiration of said publication in said papers; and at a place and time named in said notice the said treasurer, together with the committee on finance of said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion offered for sale, to the highest bidder or bidders therefor;

Provided, that said treasurer and said committee on finance shall have the right in behalf of said city to reject any and all bids; and *provided further*, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

SEC. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated annually.

SEC. 7. At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated annually, the sum of fifty thousand dollars as a sinking fund, to pay the principal of said bonds as the same shall fall due or be called, as provided by section 8 of this resolution; *Provided*, that nothing herein shall be construed to prohibit the city council from making any other provision for redemption of any or all said bonds after the expiration of said ten years.

SEC. 8. Whenever, after the expiration of ten years from the issuance of said bonds, there is available, as provided in the preceding section or otherwise, the sum of fifty thousand dollars or more, it shall be the duty of the city treasurer to publish a notice stating the number of bonds to be redeemed, commencing with the highest number then outstanding, and the date when they will be paid; and if such bonds, so numbered in said notice, shall not be presented for payment and cancellation at the date mentioned in the publication, then such funds shall remain in the treasury to discharge such bonds whenever presented; but such call bonds shall draw no interest after the date specified in such notice.

[Passed October 7, 1890.]

A RESOLUTION

PROVIDING FOR THE ISSUANCE OF BONDS FOR CORPORATE PURPOSES.

For \$200,000.

WHEREAS, The corporation of Salt Lake City is desirous of borrowing the sum of two hundred thousand dollars for the making of permanent improvements and for other corporate purposes, and it has been deemed prudent and best to issue a

series of two hundred one-thousand-dollar bonds, pursuant to the provisions of an act of the Governor and Legislative Assembly of the Territory of Utah, approved March 8, 1888; therefore,

SECTION 1. *Be, and it is, resolved by the City Council of Salt Lake City:* That for the purpose of obtaining money for permanent improvements and for other corporate purposes, said corporation shall issue a series of two hundred engraved coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of the city of Salt Lake twenty years after the date thereof, redeemable, however, at the option of said corporation at any time after ten years from the date of their issue. Said bonds to bear date of July 1, 1891, with interest from the date thereof at the rate of five per cent. per annum, and payable semi-annually thereafter, on the first days of January and July in each year, in the city of New York, at the banking house of the Importers and Traders' National Bank, or its successors, or at the Union National Bank, in Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due, both interest and principal payable in lawful money of the United States, and said bonds shall be exempt from taxation by said city.

SEC. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city.

SEC. 3. Said bonds shall be numbered from one to two hundred, both inclusive, and they shall be registered in numerical order in a book kept for such purpose by the auditor of said city, and said bonds shall be sold only upon the order of the city council, and in such lots and on such terms as it shall designate; and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper dates of payment named therein.

SEC. 4. The seal of the corporation shall not be impressed upon said bonds until the time of sale thereof, and then said impression shall be made in the presence of the mayor and treasurer and committee of finance of said city; *Provided*, the

order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by order of the city council.

SEC. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds or any part of them, said council shall direct the treasurer of said city to advertise for the sale of bonds to be issued as aforesaid, by causing notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of sale, and that bids will be received by said treasurer for the purchase of said bonds within fifteen days from the expiration of said publication in said papers, and at a place and time named in said notice.

The treasurer of said city, together with the committee on finance of said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion thereof offered for sale, to the highest bidder or bidders therefor; *Provided*, that said treasurer and said committee on finance shall have the right, on behalf of said city, to reject any and all bids; *and provided further*, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

SEC. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated accordingly.

SEC. 7. At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated, the sum of twenty thousand dollars, as a sinking fund, to pay the principal of said bonds, as the same shall fall due or be called as provided by section eight of this resolution; *Provided*, that nothing herein shall be construed to prohibit the city council from making any other provision for redemption of any or all of said bonds after the expiration of ten years.

SEC. 8. Whenever after the expiration of ten years from the issuance of said bonds there is available, as provided in the preceding section or otherwise, the sum of twenty thousand

dollars or more, it shall be the duty of the city treasurer to publish a notice stating the number of bonds to be redeemed, commencing with the highest number then outstanding, and the date when they will be paid; and if such bonds so numbered in said notice shall not be presented for payment or cancellation at the date mentioned in the publication, then such fund shall remain in the treasury to discharge such bonds whenever presented; but such call bonds shall draw no interest after the date specified in such notice.

SEC. 9. This resolution to take effect from and after its passage.

[Passed and approved June 9, 1891.]

[See ordinance passed May 6, 1892.]

A ORDINANCE

PROVIDING FOR THE ISSUANCE OF BONDS FOR CORPORATE PURPOSES.

For \$600,000.

WHEREAS, The corporation of Salt Lake City is desirous of borrowing the sum of six hundred thousand dollars for the making of permanent improvements, and for other corporate purposes, and it has been deemed prudent and best to issue a series of six hundred one-thousand-dollar bonds, pursuant to the provisions of an act of the Governor and the Legislative Assembly of the Territory of Utah, approved March 8, 1888; wherefore,

SECTION 1. *Be, and it is, ordained by the City Council of Salt Lake City:* That for the purpose of obtaining money for permanent improvements and for other corporate purposes, said corporation shall issue a series of six hundred engraved coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of the city of Salt Lake twenty years after the date thereof, redeemable, however, at the option of said corporation, at any time after ten years of the date of their issue; said bonds to bear

date of July 1, 1892, with interest from the date thereof at the rate of five per cent. per annum, and payable semi-annually thereafter on the first days of January and July of each year, in the city of New York, in the banking house of Wells, Fargo & Co., or its successors, or at the bank of Wells, Fargo & Co. at Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due, both interest and principal payable in lawful money of the United States, and said bonds shall be exempt from taxation by said city.

SEC. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city. The coupons attached to each of these bonds, representing the interest to accrue thereon, shall each be signed by the treasurer of said city, either by his own hand or by lithographic copy of the signature of said treasurer, and such coupons, when so signed, issued and delivered by the proper authorities of said city with such bond or bonds, to a purchaser or purchasers thereof, shall become and be the lawful obligation of said city in the hands of any person to whom they may lawfully come for the payment of said interest as shown thereby.

SEC. 3. Said bonds shall be numbered from one to six hundred, both inclusive, and they shall be registered in numerical order in a book kept for such purpose by the auditor of said city, and said bonds shall be sold only upon the order of the city council, and in such lots and upon such terms as it shall designate, and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper date of payment named therein.

SEC. 4. The seal of the corporation shall not be impressed upon said bonds until the terms of sale thereof, and then said impression shall be made in the presence of the mayor and treasurer and committee of finance of said city; *Provided*, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by the order of the city council.

SEC. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds, or any part of them, said

council shall direct the mayor and treasurer of said city to advertise for the sale of bonds to be issued as aforesaid, by causing notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of the sale, and that bids will be received by said treasurer for the purchase of said bonds, and at a place and time named in said notice. The treasurer of said city, together with the mayor and committee on finance of said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion thereof offered for sale, to the highest bidder or bidders therefor; *Provided*, that said treasurer, mayor and said committee on finance shall have the right on behalf of said city to reject any and all bids; *and provided further*, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

SEC. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated accordingly.

SEC. 7. At the expiration of ten years after the issuance of said bonds, there shall be set apart, and the same is hereby appropriated, the sum of sixty thousand dollars, as a sinking fund to pay the principal of said bonds, as the same shall fall due or be called, as provided by section 8 of this ordinance; *Provided*, that nothing herein shall be construed to prohibit the city council from making any other provision for redemption of any or all of said bonds after the expiration of ten years.

SEC. 8. Whenever, after the expiration of ten years from the issuance of said bonds, there is available, as provided in the preceding section or otherwise, the sum of sixty thousand dollars or more, it shall be the duty of the city treasurer to publish a notice, stating the number of bonds to be redeemed, commencing with the highest number then outstanding, and the date when they will be paid. And if such bonds, so numbered

in said notice, shall not be presented for payment or cancellation at the date mentioned in the publication, then such fund shall remain in the treasury to discharge such bonds whenever presented; but such call bonds shall draw no interest after the date specified in such notice.

SEC. 9. This ordinance to take effect from and after its passage.

[Passed and approved May 13, 1892.]

CHAPTER VIII.

BONDS OF CITY OFFICIALS.

Amount of Official Bonds.

SECTION 1. The several officers hereinafter named shall give bonds to the city with two or more good and sufficient sureties and in penal sums as follows, namely :

Assessor and collector, \$50,000.

Assessor and collector of water rates, \$5,000.

Attorney, \$5,000.

Auditor of public accounts, \$10,000.

Board of public works, each member \$5,000, the chairman \$15,000.

Chief of police, \$5,000.

Chief of the fire department, \$5,000.

City physician, \$2,000.

Councilman, \$500.

Engineer, \$5,000.

Health commissioner, \$5,000.
Inspector of buildings, \$2,000.
Deputy inspector of buildings, \$2,000.
Inspector of provisions, \$1,000.
Jailer, \$1,000.
Marshal, \$5,000.
Mayor, \$5,000.
Police justice, \$2,500.
Poundkeeper, \$500.
Recorder, \$5,000.
Sanitary inspector, \$3,000.
Sealer of weights and measures, \$1,500.
Sexton, \$2,000.
Superintendent of sewers, \$5,000.
Superintendent of waterworks, \$5,000.
Supervisor of streets, \$5,000.
Treasurer, \$200,000.
Deputy treasurer, \$10,000.
Watermaster, \$5,000.
Chief weighmaster, \$500.
City weighmasters, \$1,000.

[February 14, 1888; February 4, 1890; April 1, 1890; May 29, 1890; October 21, 1890.]

Attorney to Approve Form—Conditions—Sureties.

SEC. 2. Each of said bonds shall be in such form as the city attorney shall approve, and shall be conditioned for the faithful performance of the duties of the office which is to be filled by the party giving it.

The bond of the treasurer shall be conditioned further for the safe custody of the money and other property intrusted to him and to the officers appointed by him.

The bond of the city auditor shall be conditioned further for the delivery to his successor of all the books, accounts, papers and other documents and property which belong to his office.

In the bond of any officer whose duty requires him to make contracts, purchases or sales in behalf of the city, there shall be a condition, in substance, that he will not, directly or indirectly,

for himself or for others, or by others in trust for him or on his account, have any interest or concern in any contract, agreement, purchase or sale made by him in behalf of the city.

The sureties on all said bonds, except those of the treasurer, shall be jointly and severally liable for the whole penalty of the bond; but the liability of the sureties on the bond of the treasurer may be limited to a several liability for a portion only of the full penal sums named therein.

[February 14, 1888.]

Approval of Bonds.

SEC. 3. Each of said bonds and the sureties thereon shall be approved by the mayor, and the bonds of the mayor and treasurer shall also be approved by the city council. Each of said bonds shall be executed, approved and delivered before the officer giving it enters upon the duties of his office.

[February 14, 1888.]

New Bonds.

SEC. 4. In case of the death or insolvency of a surety on any of said bonds, the officer who has given the bond shall immediately give a new one, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice so to do by the officer having the legal charge of such bond, such failure shall be a sufficient cause for his removal from office.

[February 14, 1888.]

Custody of Bonds.

SEC. 5. The treasurer shall have the custody of the bond of the auditor, but all the other bonds before mentioned shall be kept in the custody of the auditor.

[February 14, 1888.]

Auditor to Provide Blanks.

SEC. 6. The auditor shall provide, from time to time, suitable blanks for the aforesaid bonds, and shall, when requested, furnish such blanks, free of charge, to any officer who may require them.

[February 14, 1888.]

County Collector.

SEC. 7. The county collector, in 1893 and in each year thereafter, before the time appointed for receiving or collecting the taxes of the year, shall give to the city a bond in such sum as the city council may require, but not exceeding double the amount of the city taxes for the year, with at least two sureties, conditioned for the faithful performance of his duties as collector of the city tax, and the bond and sureties shall be subject to the approval of the mayor or city council of the city.

CHAPTER IX.

BUILDINGS.

Duty of Inspector of Buildings.

SECTION 1. It shall be the duty of the inspector of buildings, when called upon, to examine all public or private buildings, bridges, dams, locks, gates, reservoirs, aqueducts or other public works, and certify to the strength, safety, workmanship and general condition of the same. He shall also, when requested, inspect all building material which may be offered for sale, measure all buildings, building material, mason and other mechanical work, and, when required, certify to the measurement, either of which certificates shall be evidence of the things therein certified.

[May 17, 1860; May 28, 1878; September 2, 1890.]

Chimneys—Public Buildings.

SEC. 2. Said inspector shall require the removal or prevent the construction of any fire-place, chimney, hearth, stove or pipe in any building which may seem to endanger life or property, and shall see that all ordinances in relation to the strength and safety of public buildings are carried into effect.

[May 28, 1878; February 14, 1888; September 2, 1890.]

Examine Buildings—Record—Grant Permits—Report.

SEC. 3. The inspector of buildings shall examine all buildings in course of construction or alteration in the city of Salt Lake as often as practicable, and shall make a record of the same upon the city register of buildings, and shall grant permits for any proposed construction or alteration when in conformity with the requirements of this ordinance, and shall

report quarterly, or oftener if required, to the city council.
[September 2, 1890.]

To Abate Dangers from Fire.

SEC. 4. It shall be the duty of the inspector of buildings to examine carefully, under the direction of the city council, any cause from which immediate danger of fire may be apprehended, and remove or abate, with the consent of the mayor or any councilman (in case of neglect or refusal of the owner or occupant), any cause from which danger may be apprehended, and to cause all buildings, chimneys, stoves, pipes, hearths, ovens, boilers, ash-houses, and other apparatus used in any building, which shall be found in such condition as to be considered unsafe, to be, without delay, at the expense of the owner or the occupant thereof, put in such condition as not to be dangerous in causing or promoting fires.

[February 14, 1888; September 2, 1890.]

Penalty for Obstruction.

SEC. 5. If any person shall obstruct or hinder any person under the direction of the inspector of buildings, as aforesaid, in the performance of his duty under the preceding section, such person, for every such offense, shall, upon conviction, be liable to a fine of not to exceed twenty-five dollars.

[February 14, 1888; September 2, 1890.]

Special Cases.

SEC. 6. The inspector shall have power to pass upon any question relative to the mode, manner of construction or materials used in the erection, alteration or repair of any building in the city when the same is not hereafter provided for herein, to make the same conform to the true intent, meaning and spirit of the several provisions hereof, where the same do not conflict, in order that substantial justice may be done. The above is to meet the requirements of special cases.

[February, 14, 1888 ; September 2, 1890.]

Dangerous Buildings.

SEC. 7. When any building or part thereof in the city shall become dangerous to life or limb of persons residing therein,

or in adjacent buildings, or passing in the vicinity, or property in the vicinity, or if from cause apparent it will so become dangerous, the inspector of buildings, the chief of the fire department and the committee on fire department shall proceed to make an examination of said building; and if they shall find the buildings to be dangerous, as aforesaid, the inspector shall immediately notify the owner or agent of such building or structure to have the same removed, repaired or secured within twenty-four hours thereafter; and if the owner or agent fails to do so, it shall be the duty of said inspector to demolish or secure the same so as to insure safety, and he may call upon the police or fire department or both for assistance, or may employ labor or purchase material needed, and the expense thereof shall be collected from such owner; and any owner or agent who shall fail to comply with the requirements of such notice shall, upon conviction thereof, be fined not more than one hundred dollars.

[February 14, 1888; September 2, 1890.]

Permits—Necessary Repairs.

SEC. 8. No work, except necessary repairs, shall be done upon any building in the city of Salt Lake without a permit from the inspector of buildings, nor except in conformity with the provisions of this ordinance.

[September 2, 1890.]

Plans to Be Submitted and Approved.

SEC. 9. Before the erection, construction or alteration of any building or part of any building in the city of Salt Lake is commenced, the owner, his agent or architect, shall submit to the inspector of buildings, at his office, a detailed statement in writing, or, when plans are made, a full set of the plans of such proposed work, together with the full name and residence, street and number of the owner of said building. Said detailed statement or plans shall be kept on file in the office of the inspector of buildings until the proposed work is completed. And the erection, construction or alteration of said building or any part thereof shall not be commenced or proceeded with until such statements or plans be approved by the inspector of buildings. Nothing in this section shall be construed to prevent the inspec-

tor of buildings from granting his approval for the erection of any part of a building, when plans and detailed statements have been presented for the same before the entire plans and the detailed statements have been submitted, but no contracts for the erection of any building or part of a building shall be let until the plans shall have been approved by the inspector of buildings.

[September 2, 1890.]

Alteration in Plans.

SEC. 10. After a permit has been granted for any building, the plans shall not be altered or changed without giving notice of such alteration or change and securing a permit therefor from the inspector.

[September 2, 1890.]

Power to Prohibit Construction.

SEC. 11. The inspector of buildings shall have the power to stop the construction of any building, or the making of alterations or repairs on any building, where the same is being done in violation of the provisions of this ordinance, and any owner, architect or builder or others who may be employed, who shall assist in violation or non-compliance with the provisions of this ordinance, shall be subject to a fine for every such violation or non-compliance, of not less than ten nor more than one hundred dollars.

[September 2, 1890.]

Ordinary Repairs.

SEC. 12. Ordinary repairs may be made without notice to the inspector, but such repairs shall not be construed to include the cutting away of any stone or brick wall, or any portion thereof, or the removal of or cutting of any beams, or the removal, change or closing of any staircase.

[September 2, 1890.]

Fees.

SEC. 13. If, upon consideration of such detailed statements or plans, it shall appear to the inspector of buildings that the

manner of erection, character of construction and kind of material are in accordance with this ordinance, the said inspector shall thereupon grant a permit to make such construction or alteration, upon the payment of the following fees: In case the estimated cost of any building, addition or alteration shall not exceed the sum of one thousand dollars, the fee thereof shall be one dollar for such permit, and for each additional one thousand dollars up to ten thousand dollars, fifty cents per thousand; above ten thousand dollars to twenty thousand dollars, forty cents per thousand; for each additional one thousand dollars above twenty thousand dollars to forty thousand dollars, thirty cents per thousand; for each additional one thousand dollars above forty thousand dollars, twenty cents per thousand; and for all other services than those specified, he shall receive not to exceed one dollar per hour.

[May 28, 1878; September 2, 1890.]

Deputy Inspectors—Bond.

SEC. 14. The inspector shall have power to appoint one or more deputies, who shall, before entering upon their duties, qualify and give the same bond provided to be given by the inspector.

[May 28, 1878; September 2, 1890.]

Kind of Buildings Allowed in Fire Limits.

SEC. 15. Every building hereafter erected within the fire limits of this city shall be of brick, stone, iron or other substantial and incombustible material, and only the following wooden buildings shall be allowed, viz.: Sheds to facilitate the erection of authorized buildings; coal sheds not exceeding ten feet in height and not to exceed a hundred feet in area; and privies not to exceed thirty-six feet in area and ten feet in height; and all such sheds and privies shall be separate structures.

[September 2, 1890.]

Wooden Buildings May Be Repaired.

SEC. 16. Any wooden building already within said fire limits may be altered or repaired in any manner approved by

the inspector of buildings; *Provided*, that neither its area nor height be increased.

[September 2, 1890.]

Roof of Frame Building Damaged by Fire.

SEC. 17. The roof of any frame building within the fire limits, more than one story in height, that is damaged by fire less than fifty per cent. of its cost, may be repaired. If the roof is damaged more than half its value, the entire roof shall be taken off and replaced with a new roof of some incombustible material, and in no case shall the highest point of the new roof exceed that of the old.

[September 2, 1890.]

Damaged Frame Buildings—Arbitrators—Moving.

SEC. 18. It shall be unlawful to repair any frame building within the fire limits of the city of Salt Lake when such building shall have been damaged by fire, the elements or decay to the extent of fifty (50) per cent. of its original value.

The decision of the inspector of buildings shall be conclusive as to the amount of damages to any building unless the owner of such building objects to such decision and files with the inspector of buildings a petition asking for the appointment of arbitrators to determine the question of damages. Such arbitrators shall consist of three disinterested persons: One to be chosen by the inspector of buildings, one by the party filing the petition and the third by the two thus chosen, who shall be duly sworn to make a thorough examination of the damaged premises.

The decision of a majority of such arbitrators filed with the inspector of buildings shall be final and conclusive.

The party asking for arbitration shall, on filing his petition, pay thirty (30) dollars to the inspector of buildings, which shall be paid to the arbitrators in full of all cost of arbitration and compensation of arbitrators.

No person or persons shall move any frame building from one place to another within the fire limits of the city of Salt Lake.

[September 2, 1890; September 15, 1891.]

Dangerous Wall and Unsafe Building.

SEC. 19. Whenever, in the opinion of the inspector of buildings, any wall or any part of a burned building is dangerous, or when any building shall be deemed unsafe for the purpose for which it is used, or shall be in danger of fire from any defect in its construction, the inspector shall notify the owner or his agent in writing, specifying wherein the danger consists, or wherein the building is unsafe or defective. If the owner or his agent neglects or refuses, after the serving of such notice, to immediately put such building in a safe condition, or to forthwith pull down or secure such wall or dangerous parts of a burned building, he shall be subject to a fine of not less than five nor more than fifty dollars for each and every day such violation of this ordinance shall continue.

[September 2, 1890.]

Cellar Excavations—Foundation Walls—Cement.

SEC. 20. The established depth of excavations for cellars and basements shall be and the same is hereby fixed at ten feet below the sidewalk grade in front of the same. Any person who shall excavate below the above established depth shall, at his own proper cost and charge, save and protect the owners of adjoining property from injury or damage resulting from such excavation.

All foundation walls shall be of stone or brick, and shall be at least four inches thicker than the wall next above them, and so proportioned that the pressure shall be equal on each square foot of such foundation wall. They shall be laid in cement or brown lime mortar. No inferior lime or cement shall be used, and all joints shall be well filled.

[February 14, 1888 ; September 2, 1890.]

Buildings Without Basement Walls.

SEC. 21. In all buildings erected without basement walls, the foundation walls shall be not less than two feet below the ground, and upon good solid bottom, and all such walls shall be constructed of stone or good hard brick laid in cement. No soft

or imperfectly burnt brick shall be used for such foundations.
[September 2, 1890.]

Tables for Walls of Buildings.

SEC. 22. The walls of all business buildings, if of brick, shall be of the thickness (in inches) designated in the following table:

	Basement.	1st story..	2nd story..	3rd story..	4th story..	5th story..	6th story..	7th story..
<i>Inclosing Walls:</i>								
One story high.....	12	12						
Two stories high.....	16	12	12					
Three stories high.....	16	16	12	12				
Four stories high.....	24	20	16	16	12			
Five stories high.....	24	20	20	16	16	12		
Six stories high.....	28	24	20	20	16	16	16	
Seven stories high.....	28	24	24	20	20	16	16	16
Four stories less than 100 feet.....	24	20	16	12	12			
Five stories less than 100 feet.....	24	20	16	16	12			
Six stories less than 100 feet.....	28	24	20	20	16	16	12	
Seven stories less than 100 feet.....	28	24	24	20	20	16	16	12
<i>Division Walls:</i>								
Three story building.....	16	12	12	12				
Four story building.....	20	16	16	12	12			
Five story building.....	24	20	20	16	16	16		
Six story building.....	24	20	20	20	16	16	16	
Seven story building.....	24	24	20	20	20	16	16	16
<i>Front and Rear Walls:</i>								
Four story building.....	20	16	16	12	12			
Five story building.....	20	20	16	16	12	12		
Six story building.....	24	20	16	16	16	12	12	
Seven story building.....	24	20	20	20	16	16	12	12
<i>Partition Walls:</i>								
One story building.....	12	8						
Two story building.....	16	12	12					
Three story building.....	16	12	12	12				
Four story building.....	20	16	16	12	12			
Five story building.....	20	20	16	16	12	12		
Six story building.....	24	20	20	16	16	12	12	

The walls of dwellings, if of brick, shall be of the thickness (in inches) designated in the following table:

	Basement.	1st story..	2nd story..	3rd story..	4th story..
<i>Walls of Dwellings:</i>					
Basement and two stories.....	12	12	8		
Basement and three stories.....	16	12	12	8	
<i>Division Walls, Basement:</i>					
Two stories.....	12	12	12		
Three stories.....	12	12	12	12	
Four stories.....	16	12	12	12	12

[September 2, 1890.]

When Walls Are to Be Increased.

SEC. 23. Whenever it is sought to increase the height of any building beyond the height for which the original permit is granted, the thickness of the walls thereof shall be increased in accordance with the above tables.

[September 2, 1890.]

Height of Stories.

SEC. 24. The height of stories for all given thickness of walls must not exceed eleven feet in the clear for the basement, eighteen feet in the clear for the first story, fifteen feet in the clear for the second story, twelve feet in the clear for the third and fourth stories, and fourteen feet in the clear average height for the upper story. If any story exceeds these heights, the walls of such stories and all stories below must be increased four inches in thickness, in addition to the thickness laid down in the foregoing tables. And any front or rear wall supporting beams or girders shall be increased eight inches in thickness for two feet in width, forming buttresses or pilasters directly under such beams or girders.

[September 2, 1890.]

Heading or Binding Course.

SEC. 25. Every seventh course, at least, of a brick wall shall be a heading or binding course, except when the walls are faced with face brick, in which every seventh course shall be bonded by cutting course of faced brick and putting diagonal headers behind the same.

[September 2, 1890.]

Walls for Trussed Roofs.

SEC. 26. The outside walls of buildings having trussed roofs or ceilings, such as churches, public halls, theaters and the like, if more than fifteen and less than twenty-five feet high shall average at least sixteen inches in thickness; if over twenty-five and under forty feet high, at least twenty-four inches in thickness. An increase of four inches in thickness shall be made in all cases where the walls are over one hundred feet in length, unless there are cross walls of equal thickness.

[September 2, 1890.]

Buttresses.

SEC. 27. If solid buttresses are employed with a sectional area of three hundred or more square inches, placed less than eighteen inches apart, and extended to or nearly to the top of the walls, four inches may be deducted from the thickness of any wall having such buttresses.

[September 2, 1890.]

Cut Stone and Ashlars.

SEC. 28. Cut-stone facing of walls shall be backed up with brick-work of same thickness required when no cut stone is used. Ashlar fronts, properly bonded to the brick-work, may have backing same as self-supporting fronts or walls.

[September 2, 1890.]

Party Walls.

SEC. 29. Any party wall now existing, that shall have been built conformably to the requirements of any law regulating the construction of such walls, and in force at the time of such

construction, if sound and in good condition, may be used in the construction of an adjoining building; *Provided, however,* that no brick-work shall be placed on such wall unless the thickness of said wall shall at least equal the thickness required for division walls in the class of buildings to which it belongs. This shall apply in all cases where it is desired to add additional height to any building. In case of outside walls of any building being built against the walls of any old building (not being a party wall) the new wall shall be of the same thickness as required for outside walls of such buildings.

[September 2, 1890.]

Roof and Floor Timbers.

SEC. 30. All roof or floor timbers entering a party or division wall from opposite sides shall have at least four inches of solid brickwork between the ends of such timbers.

[September 2, 1890.]

Recess, Chase or Flue.

SEC. 31. No continuous vertical recess, chase or flue shall be made in any party wall so deep that it will leave the thickness at the back less than eight inches at any point, and no recess of any kind shall be made in any eight-inch wall. No horizontal recess shall be made in any wall except by special permit from the inspector, and no continuous vertical recess other than flues in stacks shall be nearer than seven feet to any recess.

[September 2, 1890.]

Lintels and Arches.

SEC. 32. All lintels used to support walls or other weights over openings shall be of sufficient strength and bearing to carry the superimposed weight, and iron beams or lintels when supported at the end by brick walls or piers, shall rest upon an iron plate at least two inches thick, the full size of the bearing, and all arches not having sufficient piers or abutments to resist the thrust of the superimposed load, shall have proper and sufficient iron ties.

[September 2, 1890.]

Party Walls Above Roof.

SEC. 33. Every party or division wall shall be built through and at least sixteen inches above or distant from the roof boarding at every part of the roof, and shall be properly coped with metal.

[September 2, 1890.]

Kind of Mortar to Be Used.

SEC. 34. The mortar used in the construction, alteration or repair of any building, or part thereof, shall be composed of lime or cement, mixed with sand in the proper proportion, and no lime and sand shall be used within twelve hours after being mixed, and no cement shall be used after having been mixed six hours. All walls or parts thereof below the ground line shall be laid in brown lime or cement mortar, in the proportion of at least one of cement to four of mortar. No inferior lime or cement shall be used, and all sand shall be clean, sharp grit, free from loam ; and all joints and walls shall be well filled with mortar.

[February 14, 1888 ; September 2, 1890.].

How Brick Flues to Be Built.

SEC. 35. All brick flues or chimneys shall be built of hard burned brick, slushed and flush jointed, plastered inside with mortar, and plastered on the outside before any woodwork shall be placed against it. They shall be topped out with brick or stone at least four feet above the highest part of the roof ; and in no case, shall furring be placed against any such flue, or shall nails be driven in such flue or chimney.

[September 2, 1890.]

Roof and Floor Timbers.

SEC. 36. All timbers used in the construction of all floors and roofs in all buildings shall be straight grained and free from unsound knots or weakening shakes.

[September 2, 1890.]

Headers, Trimmers and Tail Beams.

SEC. 37. Every header more than four feet long used in any building except a dwelling shall be hung in stirrup-irons

and securely joint-bolted. All trimmers and headers shall be double, and tail beams properly framed to headers.

[September 2, 1890.]

Timbers or Joists Not to Be Cut for Piping.

SEC. 38. No floor joists, headers or trimmers of any building shall be cut into more than two inches in depth for any piping except by permission from the inspector, and no cutting shall be made in any timber at a greater distance than three feet from its supports.

[September 2, 1890.]

Rough Floor to Be Laid.

SEC. 39. All brick buildings, except dwellings, more than two stories in height, shall have a rough floor laid as soon as the joists are in position upon the wall.

[September 2, 1890.]

How Cornices to Be Secured.

SEC. 40. All cornices other than brick in brick buildings shall be secured to the walls with iron anchors independent of any woodwork, the walls to be carried out to the boarding of the roof, and when the cornices project above the roof the wall shall be carried up to the top of the cornice and covered with metal.

[September 2, 1890.]

Strength of Floors.

SEC. 41. In all buildings the floors shall be of sufficient strength to bear the weight to be imposed upon them, exclusive of the weight of the materials used in their construction, and in all storehouses the weight that each floor will safely sustain upon each superficial foot shall be estimated by the owner thereof, and posted in a conspicuous place upon each floor thereof; and the weight that may be placed upon each of the floors of said building shall be safely distributed thereon. In all buildings every floor shall be of sufficient strength in all its parts to bear safely upon every superficial foot of its surface seventy-five pounds; and if used as a place of public assembly,

one hundred and twenty pounds; and if used as a store, factory, warehouse, or for any other manufacturing or commercial purpose, at least one hundred and fifty pounds; and every floor shall be of sufficient strength to bear safely the weights aforesaid in addition to the weight of material of which the floor is composed; and every column, post or other vertical support shall be of sufficient strength to bear safely the weight of the portion of each and every floor depending upon it for support, in addition to the weight required as above, to be supported safely upon said portions of said floor. In every building already erected, or hereafter to be built, the floors shall be of sufficient strength to bear the weight required as above, to be supported safely upon said portions of said floors.

[February 14, 1888; September 2, 1890.]

When Building Can Be Altered.

SEC. 42. No building shall be enlarged, raised or altered, or built upon in such a manner as to make the whole, when completed, in violation of any of the provisions of this ordinance; and any building to be enlarged, raised or altered, shall be first examined by the inspector of buildings, to ascertain whether the proposed changes will leave the building in a safe condition; and no building shall be so enlarged, raised or built upon unless the inspector give a permit for such changes after an examination.

[February 14, 1888; September 2, 1890.]

Hot Water, Steam or Other Furnaces.

SEC. 43. Whenever hot water, steam, hot air or other furnaces are hereafter placed in any building, notice shall first be given to the inspector of buildings, by the owner of said building, or by the persons placing said furnace in said building, or by the contractor or superintendent of said work.

[February 14, 1888; September 2, 1890.]

Construction of Flues and Chimneys.

SEC. 44. All flues shall be properly cleaned and all rubbish removed, and the flues left smooth on the inside upon the completion of the building. No chimney shall be started or built

upon any floor or beam, and in no case shall a chimney project more than twelve inches from the wall. All chimneys which are corbelled out from the wall shall be supported by at least five courses of brick, but if supported by piers, the piers shall start from the foundation on the same line with the chimney breast. All hearths shall be supported by arches of stone or brick, and no chimney shall be cut off below in whole or in part, and supported by wood, but shall be supported wholly by stone, brick or iron, in any two-story building; and all chimneys, in any part of the city, which shall be dangerous in any manner whatsoever, shall be repaired and made safe, or taken down, and the flues of all furnaces and boilers shall be constructed in such manner as shall prevent any danger from heat or fire.

[February 14, 1888 ; September 2, 1890.]

Egress From Public Buildings—Fire Escapes.

SEC. 45. Any person, firm or corporation owning or having the control or management of any theatre, church, hotel, school-house or other public building resorted to or occupied by a considerable number of persons, must provide the same, under the direction of the inspector of buildings, with sufficient and safe means of speedy escape in case of accidents or fire. In all cases the doors of such buildings, when used for public passage, shall open outwardly, and the doorways and passages shall be so constructed as to allow twenty-four inches width for every hundred people such building is capable of seating. All aisles and passages in buildings used for public assemblages shall be kept free from chairs, stools, sofas, benches and other obstructions during any performance, service, exhibition, concert, lecture or any public assemblage.

All buildings, except such as are used as private residences exclusively, of three or more stories in height, shall be provided with one or more metallic ladders or metallic fire escapes, and stand-pipes extending from the first story to the upper stories of such buildings; and above the roof and on the outer walls thereof, in such location and numbers and of such material and construction as the inspector of buildings and the chief of the fire department may determine; *Provided, however*, that all buildings more than two stories in height used for manufactur-

ing purposes shall have one metallic ladder for every twenty-five persons or less employed above the second story, and all such fire escapes shall be kept in good repair, and it shall be unlawful for any person, at any time or in any manner, to place, or cause to be placed, any obstructions of any kind to the free and proper use thereof.

Such buildings shall be open at all times for examination by the inspector of buildings or any policeman.

[February 14, 1888; May 6, 1890; September 2, 1890.]

Stovepipe Through Roof Forbidden.

SEC. 46. The owners of all buildings, within the limits of this city, wherein fire is kept, are hereby required to build flues or chimneys of brick or adobe in said buildings; and it shall be unlawful to project any stovepipe through the roof or out of the side of any building.

[November 30, 1875; September 2, 1890.]

Penalty for Violation.

SEC. 47. Any person, within the limits of this city, laying timbers, wood or lumber into any flue or chimney where the fire passes, or laying joist timbers or lumber into any fire-place or under the hearth-stone, and any person violating any of the provisions of the preceding section, shall be liable to a fine not to exceed one hundred dollars, and a further sum of five dollars for every day that such joist timbers, wood or lumber or stovepipe are permitted to remain after having been notified to remove the same.

[November 30, 1875; February 14, 1888; September 2, 1890.]

Metal and Wooden Columns.

SEC. 48. Every metal column in a brick building shall rest on an iron plate of not less than two inches in thickness. Wooden columns supporting girders and floors shall set on one and one-half inch iron plates with sockets or counter sinkings.

[September 2, 1890.]

Bearing Parts of Columns.

SEC. 49. Metal columns placed one on top of the other shall have projections to fit into each other to prevent them

from slipping, and all columns shall have holes bored at right angles to the shaft when directed by the inspector, so as to show the thickness of the shell. All bearing parts of columns shall be placed or turned to a true bearing.

[September 2, 1890.]

Imperfectly Burned Brick.

SEC. 50. It shall be unlawful to use in any building any soft, shelly or imperfectly burned brick or other unsuitable material, and the inspector of buildings shall have the power to order the removal of any such material found upon or adjoining to any premises where building alterations or repairs are in progress. And it shall be the duty of any owner, architect or builder, when notified by the inspector, to immediately remove the same.

[September 2, 1890.]

Chimneys in One Story Cottages.

SEC. 51. Any chimney not forming a part of a wall shall rest on the ground with the proper foundation, and in no case shall any chimney rest or be supported by frame-work, except in one story cottages.

[September 2, 1890.]

How Stoves Shall Be Set.

SEC. 52. No stove or other fire apparatus in which fire is to be kept shall be set nearer than eight inches to the floor, except such as have no fire-place on the lower plate; such can be set within four inches of the floor on which they stand; and the top and the side plates thereof shall not be set nearer than twelve inches to any wood partition, or other wood-work, without protecting the same effectually from fire, by a metallic or other covering.

[February 14, 1888; September 2, 1890.]

Factory Chimneys—Spark Arrester.

SEC. 53. It shall not be lawful, within the limits of said city, for the owner, occupant or other person having the control of any steam saw-mill or planing-mill, or factory of any

kind, or foundry, machine shop or other establishment, to erect any smokestack or chimney in connection therewith of less height than ten feet above the highest building within a radius of 100 feet; he shall securely brace or stay the same, and shall have on said stack or chimney a bonnet or spark arrester, all to be done to the acceptance of the inspector of buildings.

[November 30, 1875; February 14, 1888; September 2, 1890.]

Forge and Furnace Chimneys.

SEC. 54. All forge and furnace chimneys or flues shall be raised at least four feet above the roof, by or through which they pass; and shall have a deadening flue, or fire spark arrester of woven wire placed on the top or within such chimney or flue.

[February 14, 1888; September 2, 1890.]

Penalty for Violating Provisions of this Chapter.

SEC. 55. Any person violating any of the provisions of this chapter, for which no other penalty is prescribed, shall, on conviction thereof, be punished by a fine in any sum not less than ten nor more than one hundred dollars.

[September 2, 1890.]

CHAPTER X.

CITY COUNCIL MEETINGS.

Time of Meeting—Holidays—Adjourned Meetings.

SECTION 1. The stated meetings of the city council shall be held on Tuesday of each week; *Provided*, that when any general holiday occurs on Tuesday the meeting shall be held on Wednesday next following. All meetings may be adjourned from time to time as business may require.

[February 14, 1888.]

Special Meetings.

SEC. 2. The mayor or the president of the city council may call special meetings of the city council as occasion may require.

[February 14, 1888.]

CHAPTER XI.

CITY CREEK CAÑON.

Unlawful to Catch Fish or Shoot Birds.

SECTION 1. It shall be unlawful for any person to catch any fish in City Creek, or to shoot or otherwise destroy any bird or other game in City Creek Cañon, within the limits of Salt Lake City.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding fifty dollars.

[August 5, 1890.]

Prohibiting Destruction of Trees.

SEC. 2. Any person who shall cut down, injure, carry off, or remove in any manner, any wood or underwood, tree or timber, or branches of trees or shrubbery in City Creek Cañon within the limits of Salt Lake City, shall be deemed guilty of a misdemeanor, and, on conviction thereof, be fined in any sum not to exceed one hundred dollars for the first offense, and for any subsequent offense may be fined in any sum not exceeding one hundred dollars or be imprisoned in the city jail for a period not to exceed one hundred days, or by both such fine and imprisonment.

The provisions of this section shall not apply to any person who is empowered or authorized by the city council of Salt Lake City to improve City Creek Cañon within the limits of Salt Lake City, or remove any timber for the uses of said city.

[June 2, 1891.]

Prohibiting Camping and Befouling Water.

SEC. 3. It shall be unlawful for any person to camp on any of the lands owned by Salt Lake City in City Creek Cañon, and

it shall also be unlawful for any person, by camping on any lands in said cañon, or otherwise, to in any way pollute or befoul the water of said creek, or to commit any act that will result in the fouling of said waters. Every person violating any of the provisions of this section shall be liable, on conviction, to a fine of one hundred dollars for each offense.

[February 11, 1890.]

CHAPTER XII.

DOGS.

To Be Registered—Annual Tax—Penalty.

SECTION 1. It shall not be lawful for any person to own or keep a dog within the limits of this city without making application to the city recorder for that purpose, and shall pay to said recorder, for the benefit of the city, an annual tax of three dollars for a female dog and two dollars for a male dog. The recorder shall register the applicant's name and a description of the dog, and give to said applicant a certificate of registry. Any person violating this section shall be liable to a fine in any sum not less than three nor more than ten dollars for each offense.

[March 8, 1867.]

Collars and Numbers.

SEC. 2. All dogs so registered shall wear a suitable collar with a metallic plate or check attached thereto, having a number corresponding with the certificate of registry inscribed

thereon, and all dogs not registered and collared as aforesaid shall be liable to be impounded the same as unregistered dogs.

[March 8, 1867; July 5, 1892.]

Impounding Dogs—Redemption—Fees.

SEC. 3. It shall be the duty of the city recorder, at his own expense, to take up and impound any dog found running at large in Salt Lake City, not having a collar around its neck with a metallic plate or check as aforesaid attached thereto; and if said dog shall not be redeemed, as hereinafter provided, within five days after such dog shall have been impounded, it shall be the duty of the city recorder to slay, or cause the same to be slain, and he shall be paid therefor out of the city treasury the sum of fifty cents for each dog so slain. But it is hereby provided that any dog so impounded may be redeemed or taken from such pound upon exhibiting to said city recorder a certificate of registry, as provided in section 1 of this chapter, showing that the license in that section imposed has been paid for such dog, and the payment to said city recorder of a pound fee of one dollar (one-half of which shall be paid to the city treasurer for the benefit of the city), and the further sum of twenty-five cents for each and every day such dog shall have been impounded.

[July 5, 1892.]

Female Dog in Heat.

SEC. 4. Any female dog running at large while in heat shall be liable to be killed, and the owner or possessor thereof shall be liable to a fine in any sum not exceeding fifteen dollars.

[March 8, 1867.]

Permitting in Place of Worship.

SEC. 5. Any owner or possessor of a dog permitting the same to enter or be in any place of worship during public service, shall be liable to a fine in any sum not exceeding five dollars for each offense.

[April 27, 1860; March 8, 1867.]

Dangerous Dog at Large.

SEC. 6. If any owner or possessor of a fierce, dangerous or mischievous dog permits the same to go at large, he shall be liable to be fined in any sum not exceeding fifteen dollars, and the city recorder shall immediately cause said dog to be killed.

[March 8, 1867.]

Penalty for Killing Registered Dog.

SEC. 7. Any person who shall kill, or cause to be killed, any dog registered as herein provided, without the consent of the owner or possessor thereof, or deprive a registered dog of its collar, or put a registered tag on any dog not registered, shall be liable to a fine in any sum not exceeding twenty-five dollars.

[April 27, 1860; March 8, 1867.]

CHAPTER XIII.

ELECTIONS.

Elections—When Held—Officers to Be Elected.

SECTION 1. The municipal election of said city shall be held on the Tuesday next after the first Monday in November, 1893, and biennially thereafter, for the election of the following officers for said city, viz: One mayor, one recorder, one treasurer, one marshal and one police justice, elective at large, and three councilmen from each municipal ward. The said officers shall hold their offices for two years, from the first day of January next succeeding their election, and until their successors are elected and qualified to office.

[February 28, 1860; November 18, 1879; February 14, 1888.]

Qualifications of Voters and Officials.

SEC. 2. No person shall be elected or appointed to any office of said city unless he is a citizen of the United States and has been a resident of said city for one year next preceding such election or appointment. Neither shall any person be eligible to vote at any election unless possessing the qualifications of a voter, as prescribed by the laws of the United States and the Territory of Utah, and has been a resident in said city during the month next preceding his registration.

[November 18, 1879; November 19, 1889.]

The Registry List.

SEC. 3. It shall be the duty of the registrar of voters of said city, before the first Monday in August, biennially, to apply to the clerk of the county court of Salt Lake County for a certified copy of the registry lists of voters, as last returned, of all the precincts, or parts thereof, within the corporate limits of Salt Lake City; the proper fees for which lists shall be tendered and paid out of the city treasury.

[November 18, 1879; February 14, 1888.]

To Visit Dwellings—Oath of Voter.

SEC. 4. Upon the receipt of said lists, and before the third Monday in December preceding any municipal election, the city registrar, in person or by deputy, shall visit every dwelling house in each municipal ward, and make careful inquiry if any person, whose name is on said registration list, has died, or removed from the ward, or is otherwise disqualified as a voter, and if so, to erase the same therefrom; or whether any qualified voter resides therein, whose name is not on said registration list, and if so, he shall ascertain upon what ground such person claims to be a voter, and shall require any such person entitled to vote and desiring to be registered to take an oath or affirmation showing that he possesses all the qualifications of an elector under the laws of Utah Territory and the statutes of the United States applicable thereto. Upon the receipt of such affidavit, the registrar as aforesaid shall place the name of such voter upon the registry list of the voters of said municipal ward.

[February 14, 1888.]

When Registrar to Be at His Office.

SEC. 5. It shall also be the duty of the registrar, in person or by deputy, during the week commencing the last Monday in September preceding each election, at his office, to enter on his registry list the name of any voter that may have been omitted, on such voter appearing and complying with the provision of the preceding section of this chapter required of voters for registration purposes.

[November 18, 1879; February 14, 1888.]

Voters Changing Place of Abode.

SEC. 6. Voters removing from one municipal ward to another may appear before the registrar at any time, until within fifteen days of the election, and have their names erased from the registry list; and they may thereupon have their names registered in the ward to which they may remove.

[November 18, 1879; February 14, 1888.]

Alphabetical List for Each Ward.

SEC. 7. Upon the completion of the registration it shall be the duty of the registrar to proceed to make out a list in alphabetical order, for each municipal ward, containing the names of all the registered voters of such ward; and he shall file and carefully preserve all said affidavits and registry lists, and shall make a copy of each ward registry list, and cause the same to be posted up at least fifteen days before any election, at or near the place of election, and shall make and transmit another copy to the judges of election.

[November 18, 1879; February 14, 1888.]

Notice of Election to Be Given.

SEC. 8. The city registrar shall cause a notice of the time and places of voting and the number and kind of officers to be elected, to be posted up in each municipal ward, or advertised in some newspaper published within said city, at least fifteen days previous to the time of holding said election, and setting forth therein that the polls will open at one hour after sunrise and continue open until sunset.

[November 18, 1879; February 14, 1888.]

Judges of Election—How Vacancies Filled.

SEC. 9. In October preceding each municipal election, there shall be appointed three capable and discreet persons, in each municipal ward, one at least of whom shall be of the political party that was in the minority at the last previous municipal election, if any such party there be in such ward, to act as judges of election, and they shall designate one of the persons appointed to preside, and the other two to act as clerks of said election. And certificates of said appointments shall be transmitted by mail or other safe conveyance to the persons so appointed, who, previous to entering upon said office, shall take and subscribe an oath, before any person authorized to administer oaths, to the effect that they will well and faithfully perform all the duties thereof to the best of their ability, and that they will studiously endeavor to prevent any fraud, deceit or abuse at the election over which they preside. If, in any ward, any of such judges decline to serve, or fail to appear, the voters of said ward, first assembled on the day of election, to the number of six, at or immediately after the time designated for opening the polls, may elect a judge or judges, to fill the vacancy, and any person so elected shall qualify as hereinbefore provided.

[November 18, 1879; February 14, 1888.]

Books and Blanks—Opening in Ballot-Box.

SEC. 10. There shall be provided the necessary books, blanks, stationery and ballot-boxes, which ballot-boxes shall be made of galvanized iron, of suitable size, with Yale or other safe locks and two keys, one of the keys to be kept by the judges of election and one by the city registrar. There shall be an opening through the lid of each ballot-box of sufficient size to admit a single ballot.

[November 18, 1879; February 14, 1888.]

Envelopes to Be Supplied—Ballot-Box.

SEC. 11. There shall be furnished the judges of election in each ward a sufficient number of plain envelopes for election purposes; said envelopes shall be uniform in color and size,

without any marks, writing, printing or device upon them, and no other kind shall be used at any election. Before opening the polls the ballot-box shall be carefully and publicly examined by the judges of election, who shall satisfy themselves that nothing is therein. It shall then be locked and the key thereof delivered to the presiding judge, and said ballot-box shall not be opened during the election.

[November 18, 1879 ; February 14, 1888.]

Manner of Registering Votes.

SEC. 12. At the opening of the polls at all elections the judges of election, for their respective wards, shall designate one of the judges, acting as clerk, who shall have in custody the registry list of voters, and shall make the entries therein required by law; the other of said judges, acting as clerk, shall write the name of each person voting, and opposite to it the number of the vote.

[November 18, 1879.]

Manner of Voting.

SEC. 13. Every voter shall designate on a single ballot, written or printed, the name of the person or persons voted for, with a pertinent designation of the office to be filled, and when any question is to be decided in the affirmative or negative, he shall state the proposition at the bottom of the ballot, and write thereunder "Yes," or "No," as he may desire to vote thereon, which ballot shall be folded and placed in one of the envelopes hereinbefore provided for, and delivered to the presiding judge of election, who shall, in the presence of the voter, on the name of the proposed voter being found on the registry list, deposit it in the ballot-box, without any mark whatever being placed on such envelope ; otherwise the ballot shall be rejected.

[November 18, 1879.]

Name of Voter and Number of Vote.

SEC. 14. Whenever any ballot shall be deposited in the ballot-box, the judge having the registry list shall write the word "voted" opposite the name of the person casting the vote,

and the other judge acting as clerk shall write the name of the voter and the number of the vote upon a list to be made by such judge.

[November 18, 1879.]

Canvass of Votes.

SEC. 15. As soon as the polls shall be closed, the judges of election shall immediately proceed to canvass the votes cast at such election, and continue without adjournment until completed, and all candidates voted for may be present, either in person or by representative, to witness said canvass. If any envelope contains two or more ballots of the same kind folded together, one only shall be counted.

[November 18, 1879.]

How Canvass Conducted.

SEC. 16. The canvass shall commence by the judges who have acted as clerks of the election comparing their respective lists and ascertaining from said lists the number of votes cast. The box shall then be opened and the ballots therein taken out and counted by the judges; and the judges acting as clerks shall each make a list of all the offices voted for. The presiding judge shall then proceed to open the ballots and call off therefrom the names of the persons voted for, and the offices they are intended to fill, and the judges acting as clerks shall take an account of the same upon their lists, and all the ballots shall be immediately returned to the ballot-box, and the ballot-box shall be locked and securely kept.

[November 18, 1879; February 14, 1888.]

Judges to Certify the Result.

SEC. 17. After the canvass shall have been completed the judges of election shall add up and determine the number of votes cast for each person for the several offices, which result shall be placed on the lists made by the judges acting as clerks of the election, and the judges shall thereupon certify to the same, and forward all the lists, securely sealed, together with the ballot-box, to the city registrar, by a qualified voter, who shall, before taking the same, take and subscribe an oath to the

effect that he will deliver the same to said officer without unnecessary delay, and that he will use his utmost ability to prevent any interference whatever therewith by any person whomsoever.

[November 18, 1879; February 14, 1888.]

Canvassing Board.

SEC. 18. On receipt of the ballot-boxes and returns of election, the registrar, in the presence of at least five reputable citizens, selected for that purpose, and who are not publicly known as candidates voted for at such election, who, after being sworn to faithfully perform the duties assigned them, shall break the seal of the returns, and all candidates may be present, as provided in section 15 of this chapter, and the registrar and the citizens aforesaid shall carefully examine the returns, and if no irregularity or discrepancy appear therein, affecting the result of the election of any candidate, they shall accept said returns as correct; but if the right of any person voted for for any office is in any way affected, then the registrar and citizens aforesaid shall open the ballots and canvass the same, so far as to determine the rights of the person whose office may be affected. They may also cause to appear before them any persons whom they may deem proper, and take their testimony in relation to said election.

[November 18, 1879; February 14, 1888.]

How Result Declared.

SEC. 19. After the completion of the canvass the registrar and the said citizens shall declare the result thereof, and the said officer shall immediately make out and transmit a certificate of election to each person elected to any office; *Provided*, that when two or more candidates for an elective office shall have an equal number of votes for the same office, the election shall be determined by the city council, who shall give notice to the parties of the time and place at which the tie shall be decided.

[November 18, 1879; February 14, 1888.]

How Ballots Disposed of.

SEC. 20. Immediately after the inspection of the ballots, in any ballot-box, the ballots shall be returned into the box,

which shall be locked and securely sealed, and the boxes shall be so preserved for ten days after the result of the election has been declared; and immediately after the expiration of ten days, and no notice of a contest being filed, requiring further delay, the registrar shall, in the presence of at least one of the citizens who assisted in the canvass, and such candidates voted for as may be present, open each of the ballot-boxes and destroy all ballots contained therein.

[November 18, 1879.]

Special Elections.

SEC. 21. All special elections in said city shall be held and conducted, and the returns and canvass of votes thereof made, in accordance with the provisions for regular elections; and notice of such elections shall be given by the city registrar in the same manner as therein provided; and the persons appointed to act as judges of the municipal election next preceding any special election shall act as the judges of such special election, subject to the right to fill any vacancy occurring on the day of such special election, as provided for filling vacancies of judges at municipal elections; *Provided*, that unless otherwise provided by law, all persons in said city qualified and entitled to vote at such preceding municipal election shall be entitled to vote at such special election.

[March 9, 1880; February 14, 1888.]

CHAPTER XIV.

ENGINEER.

Duty of City Engineer.

SECTION 1. It shall be the duty of the city engineer to locate the lines and grades of all streets and sidewalks, alleys, avenues or other public ways, and to determine the position, size or construction of all sewers, waterworks, irrigation or drainage canals, reservoirs, culverts, conduits, aqueducts, bridges, viaducts, or other public work or appurtenances, and to prepare plans, maps or profiles of the same, and to make estimates and furnish specifications for any of said work, whenever required to do so by the mayor or city council. He shall have general supervision of all contract or other work, and see that it is performed in a workmanlike manner and in accordance with the authorized plans, and in conformity with the terms of the contract and specifications.

[April 1, 1890.]

Official Survey of the City.

SEC. 2. It shall be the duty of the city engineer to make, as soon as the time and means at his command will allow, a complete re-survey of the entire city, including all streets, sidewalks, alleys, avenues, public squares, parks, and all public or private lands, which shall constitute and be the official survey of the city. And all lines thereby established shall be perpetuated by substantial and permanent stone monuments or otherwise, as the city engineer may determine.

[April 1, 1890.]

Corrected Map to Be Made.

SEC. 3. As the work of the re-survey of the city progresses, a corrected map of the official survey shall be made, showing all

streets, alleys, avenues or other public ways, also all public squares, parks, public buildings and lands, and all prominent and permanent topographical features within the city limits; and said map shall be corrected from time to time to conform to such changes as shall be made.

[April 1, 1890.]

Field Notes, Maps and Profiles.

SEC. 4. The city engineer shall keep in his office certified copies of all the field notes, maps or profiles which relate to the city surveys, waterworks, sewers, irrigation system, streets or sidewalks, and to all other engineering works, and he shall arrange and index them in such manner as will enable a ready reference thereto, and all shall be the property of Salt Lake City.

[April 1, 1890.]

Line and Grade Must Be Obtained—Penalty.

SEC. 5. As soon as the official survey hereinbefore authorized shall have been extended over any portion of the city, it shall be unlawful for any person or persons to commence the erection of any building upon the line of any street or public highway, or to construct any curbs, gutters, cellarways, lights, pavements or other similar improvements in any of such streets or highways, or upon the sidewalks thereof, embraced within the limits of such survey, without first applying to the city engineer for the line and grade of such street or highway; and thereupon it is made the duty of the city engineer to fix the required line and grade, and all buildings, curbs, gutters, cellar ways, lights, pavements and all other similar improvements shall be made to conform with the lines and grades so fixed, unless special permission shall have been granted by the city council to temporarily construct otherwise. And if any person shall violate any provision of this section, he shall, upon conviction, be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

[November 24, 1891.]

Fees of Engineer.

SEC. 6. The city engineer shall be allowed to charge and demand in advance, for the benefit of the city, the following fees from the owners of property ordering the work to be performed, or against whom the work is properly chargeable, in all parts of the city over which the official survey shall have been extended, or when the surveys are found to agree substantially with the recorded plats thereof :

For surveying each lot having more than twenty-five and not exceeding sixty feet front, \$5.00.

For each additional lot of the above dimensions, contiguous thereto and owned by the same party, \$2.50.

For surveying each lot having not over twenty-five feet front, \$4.00.

For each additional lot of the last above dimensions, and belonging to the same party, \$2.00.

For establishing street and sidewalk grades for any frontage not exceeding sixty feet, \$4.00.

For establishing street and sidewalk grades for any frontage over sixty feet and not exceeding one hundred feet, \$5.00, and for each additional foot, five cents per lineal foot.

[April 1, 1890.]

Where There is No Official Survey.

SEC. 7. In all parts of the city over which the official survey has not been extended, and where the surveys are not found to agree substantially with the recorded plats thereof, the city engineer shall for all surveys in such districts charge and collect in advance a sum estimated to cover the proper cost or expense thereof, and upon ascertaining such cost or expense, any excess thereof shall be refunded to the applicant ; and in case of surveys in such districts where lines cannot be satisfactorily determined to agree with the recorded plat, the city engineer may refuse to give any certificate of survey.

[April 1, 1890.]

Fees to Go to City—Quarterly Reports.

SEC. 8. All fees and revenues of whatever kind, received in the department of the city engineer, and arising from the offi-

cial acts of the city engineer or any of his assistants, shall belong to the city of Salt Lake, and the city engineer shall collect and receive the same and turn them into the city treasury in the manner provided in such cases, and he shall as often as once every three months report the actions and doings of his department to the mayor and city council.

[April 1, 1890.]

Engineer to Devote His Time.

SEC. 9. The city engineer shall devote his personal time and attention to the duties and requirements of his office.

[April 1, 1890.]

Penalty for Molesting Engineer.

SEC. 10. If any person shall interrupt or molest said city engineer while engaged in his official duty, by riding or driving any horse or animal or vehicle of any kind against the person or surveying instruments or other professional apparatus of said city engineer, or any of his assistants, or by moving or displacing any stake or other landmark fixed or determined by him or his assistants, or by willfully causing or offering them any kind of corporeal injury or hindrance, such person so offending shall, upon conviction thereof, be fined in any sum not less than five dollars nor more than one hundred dollars.

[April 1, 1890.]

How Maps and Plats Approved.

SEC. 11. The city engineer of said city, by order of the city council only, is authorized to approve in duplicate, to be furnished by the applicants, any maps or plats of land situated within the limits of Salt Lake City; one of said duplicates, at the time of approval, to be left with and filed by the city engineer in his office, the other to be filed and recorded in the office of the county recorder of the county in which said land is situated; *Provided*, that all such maps and plats of land situated outside of the city survey shall be located with reference to the section corner; *and provided further*, that such approval shall in no instance be construed as an acceptance by the city of the dedication of any street or public grounds in

such map or plat, nor render said city liable for keeping the same in repair; *and provided*, that all such maps or plats heretofore filed with the city recorder are hereby directed to be transferred to and filed in the office of the city engineer.

[June 24, 1890; February 24, 1891.]

Official Standard of Measure.

SEC. 12. The standard of measure used and adopted by the city engineer in his re-survey of the city be and the same is hereby adopted and constituted the official standard of measure for all surveys hereafter to be made within the corporate limits of Salt Lake City.

[May 13, 1892.]

Means of Fixing the Standard.

SEC. 13. The three stone monuments set in Liberty Park and provided with a scale or vernier to mark the exact lengths for instruments of 100 and 400 feet, respectively, and to indicate the tension and degree of temperature employed, are hereby declared to be the means of fixing and perpetuating the official standard herein above adopted. The initial monument of the said group being located at a point 1257 7-10 feet south and 230 7-10 feet west from the stone monument at the intersection of Seventh East and Ninth South streets, and the two other monuments being in line with and at a distance of 100 and 400 feet, respectively, west from the initial monument.

[May 13, 1892.]

Instruments—How Adjusted.

SEC. 14. All persons who shall hereafter use any measuring instrument for making any survey or measurement to establish the boundary lines of any lot or of any street or other parcel of land, within the corporate limits of Salt Lake City, shall first test or compare and adjust the same to correspond with the official standard, as indicated by the above described monuments.

[May 13, 1892.]

Penalty for Failure to Adjust.

SEC. 15. Any person or persons who shall refuse or neglect to first compare and adjust the measuring instruments to be used by him or them, before making surveys for any purpose in Salt Lake City, shall be judged guilty of a misdemeanor, and shall, upon conviction, be fined in any sum not less than twenty-five dollars nor more than two hundred and fifty dollars.

[May 13, 1892.]

Engineer the Custodian of Monuments.

SEC. 16. The city engineer is hereby constituted the official custodian of the herein above named monuments and the keys which unlock the fastenings thereto. And it is hereby made his duty to keep the said monuments in perfect condition and to properly protect the same, and to open or to allow the opening of the fastenings thereto upon request of all persons requiring to use the same, under the provisions of this ordinance.

[May 13, 1892.]

CHAPTER XV.

ESTRAY POUND.

Location of Estray Pound.

SECTION 1. Lot seven of block fifty-three, in plat A, Salt Lake City survey, is hereby designated as the city estray pound for impounding animals running at large or doing damage within the corporate limits of Salt Lake City, as hereinafter provided.
[December 8, 1891.]

Additional Estray Pound.

SEC. 2. An additional estray pound is hereby created, situated in North Salt Lake, near the Jordan river, on land owned by Levi C. Cone and Charles H. Roberts, and is designed as an additional estray pound for impounding animals running at large and doing damage in the corporate limits of the city. The mayor, by and with the advice and consent of the city council, may appoint an additional pound-keeper for said additional estray pound, whose duties and compensation shall be the same as the city pound-keeper.

[May 13, 1890.]

Duty of Pound-keeper.

SEC. 3. It shall be the duty of the city pound-keeper to receive and take care of all animals committed to his charge, and provide all necessary forage therefor, and use due diligence to find the owners of said animals, by examining the record of marks and brands, and otherwise, and notify the owner if found. He shall receive and file all bills of damage duly presented, and enter the amounts in the pound book, which shall be open to the inspection of the public; he shall not deliver any animal to the owner until all costs and damages are paid or satisfactorily arranged for.

[May 3, 1887.]

Animals Received to Be Registered.

SEC. 4. The city pound-keeper shall register in the pound book all animals delivered to him for commitment, which registration shall set forth when received, from whom, where found, amount of damage done, kind of animal, approximate age, color, marks, brands, and such other description as may aid the owner to identify his animal, a true copy of which the pound-keeper shall forthwith post up on the outside of the entrance door of said pound.

[May 3, 1887.]

Sale of Impounded Animals.

SEC. 5. All animals remaining unclaimed three days from the time of commitment shall be advertised for sale by the pound-keeper not less than three times, in some newspaper published in said city, having general circulation, giving a description of said animals as directed in section 4 of this chapter, and that, if not claimed and taken away within ten days from the date thereof, he will expose them at public sale, specifying the time and place, and sell them to the highest responsible bidder.

[May 3, 1887.]

Disposition of Proceeds of Sale.

SEC. 6. The net proceeds of the sale of all animals made in pursuance of section 5 of this chapter shall be paid into the city treasury, subject to the order of the owners of said animals, if applied for within six months from the date of sale; if not applied for by the owners within that time, the city treasurer shall place the amount to the credit of the city revenue.

[May 3, 1887.]

Cattle Running at Large.

SEC. 7. No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large, or be herded, picketed or staked out upon any street, sidewalk or any other public place within the limits of the city, and all such animals so found may be taken up and driven to the estray pound; *Provided*, that nothing herein contained shall be so construed as to prevent

any person from driving milch cows, work cattle, horses, mules or other animals from outside the city limits to any enclosure within the city limits, or from any enclosure in the city to a place outside of the city.

[March 18, 1890.]

Appraisal of Damage.

SEC. 8. All damages done by any animal trespassing shall, upon request of the person damaged, be forthwith appraised by any disinterested person, who may make a reasonable charge for such service, and shall set forth in such appraisal, in writing, the time and place of damage, the amount of damages, together with his charges, the name of the owner of the animal, if known, the name of the person so damaged; also the kind and description of the animal; which appraisal, if not paid or satisfactorily arranged for by the owner, or if the owner be not found, shall, together with the animal, be delivered to the city pound-keeper. *Provided*, that if the owner deem the appraisal too high, said owner may choose another appraiser, who, with the first, may make a new appraisal; or when they cannot agree, they two may choose a third, and the three may proceed to make a final appraisal.

[May 3, 1887.]

Taking Animals to Pound.

SEC. 9. Any animal found doing damage may be taken up by any person, and, if the owner cannot be found, or if found shall refuse to pay all costs and damage, said animal may be taken forthwith to the city pound and delivered to the keeper thereof, and may be held and sold as provided in section 5 of this chapter, unless previously redeemed.

[May 3, 1887.]

Penalty for Detaining Animals.

SEC. 10. Any person other than the city pound-keeper taking up an animal, under the provisions of this chapter, and retaining it more than twenty-four hours, shall, on conviction, be liable to pay a fine of not exceeding twenty-five dollars.

[May 3, 1887; February 14, 1888.]

Penalty for Taking Out of Proper Custody.

SEC. 11. Any person taking his own animal or that of any other person out of the custody of a person holding the same for damages done by it, or out of the city pound, by stealth, or by force, or who shall interrupt or hinder any one while in the discharge of his duty, under the provisions of this chapter, shall be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment not to exceed one hundred days, or both fine and imprisonment.

[May 3, 1887.]

Maliciously Impounding Animals.

SEC. 12. Any person who shall maliciously or mischievously secrete or impound the animal of another, or who shall maliciously or mischievously aid and abet therein, shall, on conviction, be liable to a fine in any sum not exceeding twenty-five dollars for each offense.

[May 3, 1887.]

Fees of Pound-keeper.

SEC. 13. The pound-keeper's fees for impounding, registering and posting up notice shall not exceed one dollar per head for horses, mules or cattle, nor twenty-five cents for calves, goats, sheep and swine. Fees for feeding animals shall be governed by the price of forage in the city market at the time of feeding the same. Fees for advertising shall not exceed a reasonable compensation therefor. All said fees shall be retained by the pound-keeper for his compensation and the payment of all costs that may have accrued.

[May 3, 1887.]

Records—Quarterly Reports—Settlement With City.

SEC. 14. It shall be the duty of the pound-keeper to keep books, in which he shall keep an accurate account of all receipts and disbursements, and shall make a full and detailed report of his proceedings to the city council quarterly, stating therein the number of animals impounded, the number of animals sold, to whom sold, and the amounts received therefor, the amounts re-

ceived and paid for forage, advertising and sale; and he shall pay over to the city treasurer all funds remaining in his hands belonging to the corporation.

[May 3, 1887.]

CHAPTER XVI.

EXPLOSIVES.

Location of Magazines.

SECTION 1. A portion of the east half of the northeast quarter, and a portion of the east half of the southeast quarter of section 14, township 1 north, range 1 west, lying northeast of the Hot Springs, is hereby designated as a location for the erection of magazines, to be built of adobe or brick, or both, for the storage of explosive powder, under such regulations as are hereinafter provided. Application for the privilege of building magazines on said ground must be made in writing to the city council. But nothing herein shall be so construed as to prevent the city council from changing the place of location of such magazines, or as granting any interest to any party in the lands above described.

[April 18, 1876.]

Selling Without Permit Forbidden.

SEC. 2. It shall not be lawful for any person to keep, sell or give away gunpowder, Giant or Hercules powder, nitroglycerine or dynamite, in any quantity, without the permission of the city council; *Provided*, any person may keep, in a canister or flask, for his own use, not to exceed six and one-quarter pounds of gunpowder.

[April 18, 1876; February 14, 1888.]

Permits, How Obtained—Quantity to Be Kept.

SEC. 3. On application being made to the city council, in writing, permits may be granted to sell gunpowder, Giant or Hercules powder, nitro-glycerine or dynamite, during the pleasure of the council; said permits, when granted, shall state to whom granted and his place of business, and shall be registered by the city recorder. No person shall keep at his place of business to exceed one hundred pounds of gunpowder, which shall be in canisters and placed in a position from which it can be readily removed in case of fire. No Giant or Hercules powder, nitro-glycerine or dynamite shall be stored or kept at any other place than at the powder magazines; *Provided*, that a sample of each, not to exceed one pound of Giant or Hercules powder, may be kept by obtaining a permit therefor. No person shall sell or weigh gunpowder by gas, lamp or candle light, unless in sealed cans or canisters.

[April 18, 1876.]

Caps—How Kept.

SEC. 4. Giant or Hercules powder caps shall, in all cases, be kept separate from any kind of explosive powder; if kept at a powder magazine, it shall be in a separate vault or safe; if kept at a place of business, it shall be in a vault or safe away from all other explosives.

[April 18, 1876.]

Quantity of Petroleum Which May Be Stored.

SEC. 5. It shall be unlawful, without the permission of the city council, for any person, firm or corporation to store, permit the storage of or keep for sale, in any one building within the corporate limits of the city, in a larger quantity than twenty gallons, to be always kept in metal cans, any crude petroleum, gasoline, or any product of petroleum, or hydro-carbon liquids, which shall flash or emit an inflammable vapor at a temperature below 110° Fahrenheit, unless the same be kept in iron tanks and stored in a building or warehouse specially licensed for, used for and devoted to the storage of crude petroleum, gasoline or other hydro-carbon liquids.

[May 22, 1883.]

Petroleum—How Kept—Quantity.

SEC. 6. It shall be unlawful for any person, firm or corporation to store, permit the storage of, or keep for sale, in any one building within the corporate limits of Salt Lake City, any refined product of petroleum in larger quantities than one thousand gallons, to be always kept in metal cans, unless the same shall stand a fire test of 110° Fahrenheit before it shall flash or emit an inflammable vapor, and unless the same be stored in a building or warehouse licensed for, used for and devoted to the storage of such substances; *Provided*, that all buildings used for the storage of any refined products of petroleum, in quantity more than one hundred and less than one thousand gallons, shall be so constructed as to be deemed fire-proof, and a certificate thereof shall be obtained from the inspector of buildings for said city before any permit shall be granted, which certificate shall be filed in the office of the city recorder. Said permit shall specify the room in such building where the same may be kept or stored, and the name of the person, firm or corporation to whom the same shall be granted. All such permits may be revoked whenever the council shall deem such revocation necessary.

[May 22, 1883.]

Warehouse for Storage of Inflammables.

SEC. 7. No building or warehouse shall be specially licensed for the storage of unlimited quantities of oil or other inflammable substances, as contemplated in this chapter, except upon the recommendation of the inspector of buildings, the chief of fire department and the city marshal, as being suitable therefor; said building or warehouse to be located at such place as may be approved by the city council, and not to be within twenty rods of any dwelling house or place of business in said city, without the permission in writing of the owner of such dwelling house or place of business. The person, firm or corporation making application for such special license shall, as soon as the same shall be granted by the council, pay into the city treasury the sum of twenty-five dollars yearly, in advance; *Provided*, that no such warehouse or building shall be used for the storage

of crude petroleum, gasoline, or other products of petroleum which shall flash or emit an inflammable vapor at a temperature below 110° Fahrenheit, unless such warehouse or building shall be specially recommended and accepted by the city council for such storage, and have prominently painted externally on the front thereof, in plain Roman letters, at least five inches in length, the words: "Licensed for the storage of gasoline."

[May 22, 1883.]

Adulterating Oils.

SEC. 8. It shall be unlawful for any person, firm or corporation to mix, adulterate or offer for sale any oils used for illuminating purposes with benzine, naphtha, gasoline or any other substance; and all oils or fluids manufactured from petroleum, or its products, to be used for illuminating purposes, shall be required to stand a fire test of 110° Fahrenheit before they shall flash or emit an inflammable vapor.

[May 22, 1883.]

Combustible or Explosive Chemicals.

SEC. 9. No person shall manufacture acids, or any combustible or explosive chemicals, or boil or refine oils, or maintain, erect or cause to be erected any works for the manufacture of acids or explosive chemicals, or for boiling or refining oils, within forty rods of any dwelling house or place of business in said city; and no person shall receive, keep or store, or suffer to remain in any place within the limits of said city, any explosive substance, having an explosive power greater than that of any ordinary gunpowder.

[May 22, 1883.]

Place of Storage, When to Be Open.

SEC. 10. The places wherein the articles mentioned in sections 6 and 7 of this chapter are kept or stored shall not be opened before sunrise nor after sunset on any day; nor shall fire or light be kept or carried into such places at any time.

[May 22, 1883.]

Coal Oil for Kindling Fires Forbidden.

SEC. 11. It shall not be lawful for any person, within the limits of this city, to use coal oil or other combustible fluid for the purpose of kindling fires, or to handle the same by pouring from one vessel to another at any other time than by daylight.
[November 30, 1875.]

How Fire to Be Carried.

SEC. 12. No person shall be allowed to carry or cause to be carried in any house, street, thoroughfare or lot of this city, any burning coals or brand of fire, unless the same be in a covered vessel.
[February 14, 1888.]

Fireworks.

SEC. 13. No person shall be allowed, within the limits of the city, to discharge or set off any rocket, squib, cracker or other fireworks without the consent of the mayor, specifying the time when and the place where the same may be done.
[February 14, 1888.]

Chimneys to Be Cleaned.

SEC. 14. The owner or occupant of any house, shop or other building, shall cause the flues or chimneys thereof to be cleaned as often as may be necessary. Any person suffering the flues of any house occupied by him to become foul and take fire, or be fired, shall be liable to the penalties hereinafter prescribed.
[February 14, 1888.]

Penalties.

SEC. 15. Any person violating, or failing to comply with, any of the provisions of this chapter, shall, upon conviction, be punished by fine in any sum not exceeding one hundred dollars, or by imprisonment not exceeding one hundred days, or by both such fine and imprisonment.
[April 18, 1876; May 22, 1883.]

CHAPTER XVII.

FIRE DEPARTMENT.

How Constituted—Compensation.

SECTION 1. The fire department shall consist of a chief of department, one or more assistant chiefs of department, one or more engineers of steamers, twenty-six permanent men and thirty call men. All officers and members of the fire department shall receive such compensation as may be fixed by order of the city council.

[April 29, 1890.]

Appointment of Additional Men.

SEC. 2. The chief of the fire department may, under the order and direction of the council, appoint such additional men as may be necessary for the efficient service of the department, but no appointments shall be made without being first reported to the council and its assent obtained.

[July 29, 1890.]

Qualifications of Members.

SEC. 3. Every person to be appointed a member of the fire department, must, at the time of his appointment, be an able-bodied man, and be able to converse understandingly in the English language.

[February 14, 1888.]

Duties and Powers of Chief.

SEC. 4. The duty of extinguishing fires and of protecting life and property in case of fire, within the city, shall be entrusted to the chief of department; he shall appoint all officers and members of the fire department, as he may deem expedient; shall determine the duties of such officers; he may dis-

charge any of said officers or members for cause; may divide the city into fire districts, and make such rules and regulations, for the government of all officers and members of the fire department as he may deem expedient; he shall make suitable regulations under which the officers and men of said department shall be required to wear an appropriate uniform and badge, by which, in case of fire and at other times, their authority and position in the fire department may be known. Under the direction and with the approval of the mayor and city council, he may purchase horses, steam engines, extinguishers, hose carriages, hook and ladder trucks, and all other apparatus and supplies necessary for the complete equipment of the fire department. The chief shall have sole and entire command at fires and alarms of fires, over all officers, members and employes of the department, and all apparatus and appurtenances belonging to the same; and he shall take all measures which he shall deem expedient for the extinguishment of fires, protection of property, preservation of order, and observance of the laws of the Territory, ordinances of the city, and rules and regulations of the city council. It shall be the duty of the chief to examine into the condition of all houses, apparatus and appurtenances belonging to the department, to inspect engine, hose, and hook and ladder companies.

[February 14, 1888.]

Assistant Chiefs of Department.

SEC. 5. It shall be the duty of the assistant chiefs of department to respond to all alarms of fire, and, in the absence of the chief, take sole charge at fires and alarms of fire; and in case of sickness or the absence of the chief, the senior assistant chief shall assume the same duties as devolve upon the chief.

[February 14, 1888.]

Duty of the Captain.

SEC. 6. The captain of each engine or hose company shall, at fires, direct the placing of the apparatus in a suitable position to obtain water, and have charge and direction of the members of his company; he shall preserve order and discipline at

all times among the members of the company under him, and require of them and enforce a strict compliance with the rules and regulations of the department and the orders of the chief. He shall report to the chief any violation of any of the rules and regulations of the department or neglect of duty by any of the men under his charge. He shall have sole care of the engine house and all property therein belonging to the city.

[February 14, 1888.]

Duty and Qualification of Engineer.

SEC. 7. Each applicant for the position of engineer shall be a regular, practical engineer, having at least two years' experience as an engineer; he shall devote his entire time to the interests of the fire department, and shall always be at the engine house where his engine is kept, except when directed by the chief to perform other duty, or when at meals, or permitted by the chief to absent himself; he shall be held personally responsible for the care and order of the engine, and shall work and manage the same, and see that it is at all times in condition for immediate use; and while working at fires he shall not be allowed to use over eighty pounds pressure of steam and one hundred and thirty pounds pressure on hose.

[February 14, 1888.]

Duty of Stoker.

SEC. 8. The stoker of each company shall, under the engineer's direction, assist in the care and cleanliness of the engine; he shall see that the engine is properly supplied with fuel, and perform such other duties as the engineer may direct.

[February 14, 1888.]

Duty of Permanent Men.

SEC. 9. It shall be the duty of all permanent men employed in the fire department to devote their entire time to the service of the department, and render willing obedience to the directions, rules and orders of the chief.

[February 14, 1888.]

Duty of Call Men.

SEC. 10. It shall be the duty of the call men of each and every company of the department to attend all fires immediately upon the general alarm being sounded, and to report to the chief of the fire department or such officer as may be in command ; to obey all orders in respect to the discharge of their duties and to return to the headquarters of the fire department, unless excused by the officer in command. They shall be required to meet at all regular meetings of the fire department determined upon by the chief ; and any member of any company who is reported absent at three or more alarms of fires or drills in any one month, without giving a satisfactory excuse to the chief, shall be liable to suspension or dismissal from the department.

[February 14, 1888.]

Substitutes to Be Furnished.

SEC. 11. No member of the fire department shall leave the city without having procured a substitute satisfactory to the chief ; and members of the department are strictly prohibited from exchanging or loaning badges.

[February 14, 1888.]

The Chief May Suspend or Dismiss.

SEC. 12. Any officer or member of the department who is addicted to the habitual use of intoxicants, or who shall use profane, immoral, or indecent language, or who shall be intoxicated in or about any of the department houses, or at a fire, shall be suspended or dismissed from the department, at the option of the chief.

[February 14, 1888.]

Conduct at Fires.

SEC. 13. Prompt, quiet obedience must be given to all orders from officers, and no disputing shall be allowed while on duty. In going to, while at, or returning from fires, all unnecessary noise shall be avoided, and a civil demeanor shall always be preserved to citizens, but no orders shall be taken from them.

[February 14, 1888.]

Damage to Be Reported to Chief.

SEC. 14. If, by accident or otherwise, the property of any person in the city is damaged by any company, it shall be the duty of the captain of the company causing the damage to report the same immediately to the chief.

[February 14, 1888.]

Carelessness of Drivers.

SEC. 15. Drivers will be held responsible for any damage caused by them through carelessness displayed in conveying their apparatus to or from a fire or fire alarm.

[February 14, 1888.]

When Property May Be Torn Down.

SEC. 16. When a fire is in progress the chief of department, or in his absence, the assistant chief of department, may (with the advice of the mayor of the city, or in case the mayor is not present, and in his judgment he may deem it necessary) order any telegraph, telephone, electric light or street railway wire, or poles of either in close proximity thereto, to be cut, torn down or otherwise disposed of, and may also order any building or buildings in close proximity thereto to be torn down, blown up, or otherwise disposed of, for the purpose of checking the conflagration, but neither the chief of the department or any other officer or member of the fire department shall unnecessarily or recklessly destroy or injure any building or other property.

[April 29, 1890.]

Record to Be Kept.

SEC. 17. The chief, or, in his absence, his assistant in charge at any fire, shall, after it is extinguished, make a prompt and thorough investigation of the cause of such fire, the amount of loss and insurance, time of breaking out, description of building and all other necessary particulars, and record the same in the record book kept for that purpose in the office of the department.

[February 14, 1888.]

Quarterly Report—Annual Report.

SEC. 18. The chief shall make to the city council a quarterly report of the location and of the number of fires and fire alarms that have occurred in the preceding quarter, the causes of such fires, the value of property destroyed thereby, and the amount of insurance thereon; and he shall, in January of each year, submit a brief summary of matters of interest concerning his department.

[February 14, 1888.]

Right of Way—Penalty for Interfering.

SEC. 19. Whenever an alarm of fire is given, all persons occupying the public streets with wagons, teams or vehicles of any description, between the fire department houses and the location of the fire, shall yield the right of way on such streets to the fire companies and the movable apparatus of the department when going to such fire. Whoever obstructs, hinders or interferes with any fireman while in the discharge of his duty, or drives over any hose or otherwise intentionally injures any of the apparatus or instruments used for extinguishing fires, shall be punished by fine not exceeding one hundred dollars.

[February 14, 1888.]

Electric Fire-Alarm Boxes.

SEC. 20. It shall be unlawful for any person to break, destroy or in any manner to interfere with any electric fire-alarm box, fire-alarm register-box, or any wire, pole or apparatus connected therewith, or to send any false alarm from, through or over any such box or apparatus. Every person violating any of the provisions of this section shall, upon conviction, be liable for each offense to a fine in any sum less than one hundred dollars.

[February 11, 1890.]

Fire Limits.

SECTION 21. The following are hereby established as the fire limits of Salt Lake City, to-wit: Commencing at the northwest corner of Third East and Fourth South streets,

thence running west along the north side of Fourth South street, to a point one hundred and sixty-five (165) feet west of the west line of Fifth West street; thence north through blocks 36, 37, 48, 49 and 60, plat "C," parallel to and one hundred and sixty-five (165) feet west of their east boundary line, to the south line of North Temple street; thence east along the south line of North Temple street to the west line of State street; thence south along the west line of State street to the south line of South Temple street; thence east along the south line of South Temple street to the west line of Third East street; thence south along the west line of Third East street to the northwest corner of Third East and Fourth South streets, the place of beginning.

Said fire limits including all of blocks forty-six (46) to eighty-eight (88), both inclusive, in plat "A"; the east one-quarter ($\frac{1}{4}$) of blocks thirty-six (36), thirty-seven (37), forty-eight (48), forty-nine (49) and sixty (60), plat "C".

[October 5, 1886; February 14, 1888; April 29, 1890; August 12, 1890; May 9, 1892.]

Unlawful to Store Combustibles.

SEC. 22. It shall be unlawful for any person or persons to keep, store, pile or erect, maintain or permit, upon any premises owned, occupied by or under the control of him or them, within the fire limits of this city, any inflammable or combustible material, such as hay, straw, shavings, rags, wool, lumber, dry goods boxes, barrels or other substance, in such a manner as to endanger the safety of any building or structure within said fire limits.

[July 8, 1890.]

How Persons to Be Notified—Penalties.

SEC. 23. It shall be the duty of the chief of the fire department to notify any person or persons who shall violate any of the provisions of the foregoing section, to remove or dispose of such combustible or inflammable material in such a manner that the same will not endanger the safety of any structure or building, and any person or persons who shall, for the space of

three days after such notice, permit such combustible or inflammable material to remain upon premises owned, occupied by or under his, her or their control, in such manner as to be dangerous to the safety of any adjacent building or structure, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, or be imprisoned not less than ten days, and shall be guilty of a like offense and subject to a like fine or imprisonment for each twenty-four hours that such combustible or inflammable material is permitted to remain upon such premises so as to endanger the safety of buildings or structures as aforesaid.

[July 8, 1890.]

No Haystack Within Sixty Feet.

SEC. 24. It shall be unlawful for any person to put any hay, straw or other combustible material in stack or pile, without having the same enclosed or secured, to protect it from flying sparks of fire, within sixty feet of any building in which fire is kept, situated within that part of Salt Lake City bounded on the north by Seventh North street, on the east by the west line of the military reservation, on the west by Sixth West street, and on the south by Ninth South street. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars for each offense, and a like amount for every day the same shall remain after notice to remove the same by the chief of the fire department.

[August 5, 1890.]

Use of Lighted Candle Near Hay Prohibited.

SEC. 25. No owner or occupant of a livery or other stable, or any other person, shall use therein, or in any other place containing hay, straw or other combustible matters, any lighted candle or other movable light, except when the same be kept safely enclosed in a lantern or other suitable covering to protect the same.

[November 30, 1875.]

Smoking Meat, etc., How to Be Done.

SEC. 26. It shall be unlawful, within said fire limits, to smoke meat, boil pitch, tar, rosin, turpentine or varnish in any room or place, except the same be fireproof.

[November 30, 1875.]

Burning of Hay or Rubbish.

SEC. 27. It shall be unlawful for any person to burn in the open air any hay, straw, or any other rubbish or substance, within the limits of Salt Lake City, except between the hours of 6 o'clock in the morning and 12 o'clock at noon. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding ten dollars for each offense.

[July 29, 1890.]

Penalty.

SEC. 28. The violation of any provision of this chapter, not herein provided for, shall subject the offender to a fine in any sum not to exceed one hundred dollars.

CHAPTER XVIII.

FOOD AND DRINK (UNWHOLESOME).

Sale of Unwholesome Food Prohibited.

SECTION 1. No meat, fish, birds, fowl or vegetables, not being then healthy, fresh, sound, wholesome and safe for human food, nor any meat or fish that died by disease or accident, shall be brought within said city, or offered or held for sale in any public or private market as such food anywhere in said city.

[September 30, 1892.]

Calf, Pig or Lamb.

SEC. 2. That no calf, pig or lamb, or the meat thereof, shall be brought, held or offered for sale as such food in Salt Lake City which at the date of its death, being a calf, less than four weeks old, or being a pig, was when killed less than five weeks old, or being a lamb, was when killed less than eight weeks old.

[September 30, 1892.]

Diseased Cattle.

SEC. 3. That no cattle shall be killed for human food while in an overheated, feverish or diseased condition, and all such diseased cattle in the city of Salt Lake and the place where found, and their disease, shall be at once reported to the commissioner of health by the owner or custodian thereof, that the proper order may be made relative thereto.

[September 30, 1892.]

Deleterious Food or Drink.

SEC. 4. That no person, being the manager or keeper of any saloon, boarding-house or lodging-house, or being employed

as a clerk, servant or agent thereat, shall therein or thereat, offer or have for food or drink, or to be eaten or drank, any deleterious or unwholesome substance, nor allow anything therein to be done prejudicial to health.

[September 30, 1892.]

Putrid Meat, Fish, Bird or Fowl.

SEC. 5. That no cased, blown, plated, raised, stuffed, putrid, impure, or unwholesome meat or fish, bird or fowl shall be held, bought for food or sold, or offered for sale for human food, or held or kept in any market, public or private, or in any public place in said Salt Lake City.

[September 30, 1892.]

Stalls to Be Kept Clean.

SEC. 6. That any person being the owner, lessee or occupant of any room, stall or place where any meat, fish or vegetables designed or held for human food shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall and place and its appurtenances in a clean and wholesome condition.

[September 30, 1892.]

Putrid Meat, etc., to Be Confiscated.

SEC. 7. If any person shall expose for sale in any market, house or elsewhere in said city, any emaciated, tainted or putrid meat or provisions, which from those or other causes may be deemed unwholesome, each person shall upon conviction be fined as provided in this ordinance, and it shall be the duty of the inspector or health officer to forthwith seize and confiscate all such meat and provisions.

[September 30, 1892.]

Milk, Butter and Cheese.

SEC. 8. That no person shall have at any place where milk, butter or cheese is kept for sale, nor shall at any place sell or deliver, or offer or have for sale, or keep for use, nor shall any person bring or send to said city, any unwholesome, skimmed, watered or adulterated milk, or milk known as swill

milk, or milk from cows or other animals which for the most have been kept in stables, or have been fed on swill; or milk from sick or diseased cows or other animals, or any butter or cheese made from any such milk; nor any unwholesome butter or cheese.

[September 30, 1892.]

Water for Drinking Purposes.

SEC. 9. That no person shall allow to run or pass into any water pipe, any animal, vegetable or mineral substance whatever, nor shall any person do or permit to be done, having the right or power to prevent the same, any act or thing that will imperil the purity or wholesomeness of any water or other fluid to be used or designed as a drink in any part of said city.

[September 30, 1892.]

How Cattle to Be Kept.

SEC. 10. That no cattle shall be kept in any place of which the water, ventilation and food are not sufficient and wholesome for the preservation of their health, safe condition and wholesomeness of food.

[September 30, 1892.]

How Cattle to Be Transported.

SEC. 11. That no cattle shall be placed or carried while bound, or tied by their legs, or bound down by the neck, in any vehicle in this city, but shall be allowed freely to stand in such vehicle when transported and while being therein.

[September 30, 1892.]

Slaughtering and Keeping of Cattle, etc.

SEC. 12. That the keeping and slaughtering of all cattle, and the preparation and keeping of all meat and fish, birds and fowl, shall be in that manner which is, or is generally reputed or known to be best adapted to secure and continue their safety and wholesomeness of food. The slaughtering of cattle shall not be permitted or conducted at any place in the city of Salt Lake, without a special permit from the city council.

[September 30, 1892.]

Permit to Sell Milk.

SEC. 13. No person shall bring or send into the city for sale, or offer for sale any milk without a permit to do so from the health department, such permit to be furnished gratuitously by the said department, on condition that none but pure, undiluted milk is sold within the city limits, subject to the approval of the milk inspector or health officer.

[September 30, 1892.]

Quality of Milk.

SEC. 14. All milk offered for sale in this city, unless sold as an inferior article and plainly marked as such, must be of the following parts: (Solid) fat, 3 per cent.; solids, not fat, 9 per cent.; ash, .68 per cent.; total solids, 12 per cent.

[September 30, 1892.]

How Milk Wagons to Be Marked.

SEC. 15. All milk wagons shall have the name of the owner, the number of the permit and the location of the dairy printed thereon plainly and legibly.

[September 30, 1892.]

Penalty for Violation.

SEC. 16. Any person who violates, disobeys, omits, neglects or refuses to comply with any of the sections of this ordinance, or resists any of the officers employed in the enforcement of this ordinance, shall, upon conviction, be fined in a sum not less than \$5 nor more than \$100.

[September 30, 1892.]

CHAPTER XIX.

GARBAGE.

Two Garbage Districts Established.

SECTION 1. There shall be established within the limits of Salt Lake City, two garbage districts, said districts to be known and designated as Garbage District Number One (1) and Garbage District Number Two (2).

[September 20, 1892.]

Garbage District Number One.

SEC. 2. Garbage district No. 1 shall be within that portion of the limits of Salt Lake City bounded and described as follows, to-wit: Beginning at the northeast corner of the intersection of South Temple street and First West street, and running thence due east along both sides of South Temple street to a point midway between First East (State) street and Second East street, and running thence due south along an imaginary line drawn through the center of blocks 74, 71 and 56, plat A, Salt Lake City survey, to a point in the center of block 53, said plat and survey, and running thence due west along an imaginary line drawn through the center of blocks 53, 52, 51 and 50, said plat and survey, to the east side of First West street, and running thence due north along said east side of First West street to the place of beginning.

[September 20, 1892.]

Garbage District Number Two.

SEC. 3. Garbage district number two (2) shall be within that portion of Salt Lake City outside of the limits of garbage district number one (1), bounded and described as follows, to-wit: Bounded on the north by Eighth North street, and on

the northern boundary of the city, on the east by the reservation line, on the south by Ninth South street, and on the west by Tenth West street.

[September 20, 1892.]

Metallic Vessels for Ashes and Rubbish.

SEC. 4. It shall be the duty of every owner, agent or occupant of any and every building or place of business, within the business garbage district, described in section 2 of this ordinance, to provide or cause to be provided and kept within such building or place of business, a metallic vessel, with handles, for receiving and holding all ashes, sweepings and other non-combustible rubbish that may accumulate on said premises. That said receptacles shall be emptied promptly when filled, and shall be placed in a position easily accessible to the scavenger.

[September 20, 1892.]

Receptacles for Liquid Refuse, etc.

SEC. 5. A separate and suitable vessel shall be provided for garbage and liquid refuse; said vessel to be free from leakage and provided with handles. All receptacles for garbage and liquid refuse shall be placed in a position easily accessible to the scavenger, and emptied daily. When placed in front of the premises they shall be deposited before the hour of 8 a. m., and removed as soon as emptied.

[September 20, 1892.]

Vessels for Residence Garbage District.

SEC. 6. Within the residence garbage district, described in section 3 of this ordinance, and outside of said business garbage district, there shall be provided and kept by the owner, agent or occupant of any and every building a suitable vessel, free from leakage, in which shall be placed all garbage and liquid refuse that accumulate in said building or on the premises. Said receptacle shall be emptied not less than once during each week in spring, summer and fall, and not less than once in two weeks in winter, in each case oftener if so directed by the health department.

[September 20, 1892.]

No Mixture Allowed.

SEC. 7. Within the garbage district described in sections 1 and 2 of this ordinance, ashes and non-combustible rubbish shall not be deposited in the same vessel or receptacle with garbage or liquid substances.

[September 20, 1892.]

Honse Slops, Rubbish, etc.

SEC. 8. No house slops, rubbish, ashes, or garbage shall be deposited within the garbage districts described in sections 2 and 3, this ordinance, except as herein provided for.

[September 20, 1892.]

Gutters and Ditches to Be Kept Clean.

SEC. 9. It shall be unlawful for any person or persons to sweep or deposit any paper or other rubbish in any gutters or ditches as within the garbage districts, or to empty into said gutters or ditches any house slops or the contents of spittoons.

[September 20, 1892.]

Sidewalks to Be Swept.

SEC. 10. All sidewalks in front of places of business shall be swept before the hour of 8 a. m., Sundays excepted.

[September 20, 1892.]

Manure Accumulations.

SEC. 11. No manure shall be allowed to accumulate in or on any premises within the garbage districts described in sections 2 and 3 of this ordinance, to any quantity greater than two cubic yards, and shall be removed as provided in the ordinance.

[September 20, 1892.]

Nightsoil.

SEC. 12. No nightsoil shall be deposited or buried in or on any premises within the garbage districts described in sections two and three of this ordinance.

[September 20, 1892.]

How Garbage, Manure, etc., Shall Be Moved.

SEC. 13. All garbage, manure, nightsoil, ashes and other refuse and offal shall be moved to a place directed by the health department, provided that all carts and vehicles for carrying any nauseous or offensive substances, shall be strong and tight, and that the sides shall be made so high above the load or contents that no part of such contents shall fall, leak or spill therefrom, and either the vehicle or vessel carried by it shall be so covered as to be inoffensive. *Provided further*, that no part of the contents of any privy vault or cesspool, except substances other than excrement, shall be removed therefrom, nor shall the same be transported through any of the streets of Salt Lake City, except by means of an air-tight vessel or in such manner as shall prevent entirely the escape of any noxious or offensive odors therefrom. All dead animals shall be removed in such a manner that they shall be covered from view during the process of removal.

[September 20, 1892.]

Expense of Removal.

SEC. 14. The removal of all garbage and ashes from places of business in garbage district No. 1, shall be at the expense of the city. The removal of ashes, garbage, manure, nightsoil and other refuse matter within garbage district No. 2, described in section 3, of this ordinance, and outside of No. 1, shall be at the expense of the owner, agent or occupant.

[September 20, 1892.]

Privy Vaults and Cesspools.

SEC. 15. All privy vaults and cesspools on property abutting the sewer system embraced within the limits of sewer district No. 1, shall be removed, filled up and connections made with sewer system.

[September 20, 1892.]

Permit for Emptying Vault, etc.

SEC. 16. No person shall empty or attempt to empty any vault, privy, sink or cesspool within the garbage districts, except

pursuant to a permit therefor received from the board of health; *Provided*, that such permit be issued to any applicant provided with the proper vehicle for removing the same.

[September 20, 1892.]

Permits for Hauling Garbage Necessary.

SEC. 17. It shall be unlawful and a misdemeanor for any person or persons other than persons, companies or corporations holding a permit from the health department, to engage in the business of hauling garbage, manure or other refuse; *Provided*, that this condition does not apply to persons hauling their own garbage with their own teams.

[September 20, 1892.]

How Scavenger Wagon to Be Marked.

SEC. 18. All persons engaged in the removal of garbage, manure or other offensive refuse, shall have the word "Scavenger" and the number of the permit in large white letters on black ground plainly painted or attached on each side of the wagon-bed.

[September 20, 1892.]

Penalty for Spilling Garbage on Streets.

SEC. 19. Any person engaged in hauling garbage, rubbish or decaying matter of any kind through the streets of the city, from the overloading of any wagon, cart or vehicle, or through carelessness or negligence allows or causes any of said matter to fall and remain in the streets of the city, shall, upon conviction, be fined as provided in section twenty-one (21) of this ordinance.

[September 20, 1892.]

Fees for Removing Garbage, etc.

SEC. 20. All persons, companies or corporations holding permits shall be entitled to charge and collect not to exceed the following fees for the removal of garbage and refuse matter as contemplated in this ordinance, to-wit: For all portions of garbage district No. 2, as follows:

For each two cubic yards of manure, 75 cents.

For each barrel of refuse (not more than thirty gallons), 25 cents.

For vessels of less capacity than thirty gallons, for each ten gallons, 15 cents.

For ashes per load, 75 cents.

For each load of refuse, 75 cents

For quantities less than one load, shall charge for each bushel thereof, 10 cents.

[September 20, 1892.]

Penalties for Violation.

SEC. 21. Any person or persons failing to comply with, or who violate any of the provisions of the foregoing sections of this chapter, shall be fined in any sum not less than five (\$5) dollars nor more than fifty (\$50) dollars, and shall, in addition to such punishment, be fined in the further sum of five (\$5) dollars for every twenty-four hours of failure or refusal to comply with said ordinance.

[September 20, 1892.]

CHAPTER XX.

GAS ORDINANCES*—GAS, NATURAL GAS AND ELECTRIC LIGHTS—LOCATION OF GAS WORKS.

RESOLUTION

APPROVING THE LOCATION OF THE SALT LAKE CITY GAS COMPANY'S WORKS, AND FOR OTHER PURPOSES.

Be it Resolved by the City Council of Salt Lake City: That the location of the Salt Lake City Gas Company's works, on lot one (1), in block eighty-two (82), plat A, Salt Lake City survey, be, and the same is, hereby approved.

Be it further resolved, that the Salt Lake City Gas Company have the privilege of constructing a railroad siding from said gas works, on lot one (1), block eighty-two (82), plat A, Salt Lake City survey, on or across Fourth West street, upon a practicable curve, to connect, as short as possible, with the Utah Central railroad.

And be it further resolved, that the said Salt Lake City Gas Company be, and are, hereby granted the right to control and use the water issuing from a spring near the northwest corner of block eighty-three (83), plat A, Salt Lake City survey, with the privilege of conducting the same (in pipes or otherwise) across Fourth West street, to the aforesaid Salt Lake City

* March 8, 1872, the first ordinance was passed relating to the manufacture and distribution of gas by the Salt Lake City Gas company.

March 30, 1872, an agreement was entered into between the city and the said gas company.

September 16, 1873, the ordinance of March 8, 1872, was amended.

January 18, 1876, an ordinance was passed authorizing the purchase of sufficient of the capital stock of the Salt Lake City Gas company to cancel their indebtedness to Salt Lake City.

Company's gas works; *Provided*, that these grants shall continue in force during the existence of the present charter of the Salt Lake City Gas Company.

[February 18, 1873.]

A RESOLUTION

GRANTING CERTAIN PRIVILEGES TO THE SALT LAKE CITY GAS COMPANY.

Franchise for Twenty-five Years to Salt Lake City Gas Company.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake City Gas Company, a corporation existing under the laws of the Territory of Utah, its successors and assigns, be and it is hereby vested with the right and privilege of using the streets, lanes and alleys of Salt Lake City for the purposes of conveying gas to the users thereof, by means of suitable pipes laid or to be laid below the surface of the ground in said city, for the term of twenty-five (25) years from and after the passage of this resolution; *Provided*, the Salt Lake City Gas Company, during the period aforesaid, shall furnish gas to the citizens of said city at a price not exceeding \$3 per thousand cubic feet, and to said city for a price not to exceed \$2.50 per thousand cubic feet, and shall supply the street lamps of said city with six-feet burners and gas at a price not to exceed \$35 per annum for each lamp, which amount shall include the lighting, extinguishing, cleaning and keeping said lamps in proper order and repair—the city paying for all necessary service pipes from the mains to the city lamp posts. The quality of illuminating gas furnished by said company to be not less than sixteen candle power, and the same to be subject, from time to time, under the direction of the city council, to such test as shall determine its quality; the gas to be furnished in such quantity as the council may require for public lamps and for public use, and as shall be sufficient to meet the reasonable demands of the citizens of said city; and the pipes shall be

extended and such gas distributed on any and all streets in the city as fast as there may be any reasonable demand for the same on such streets.

SEC. 2. The said Salt Lake City Gas Company shall file with the city recorder a plot, showing the location of all the main gas pipes laid within the city by said company, who shall have the right during the term aforesaid to dig and open trenches from the surface of the ground down to said main gas pipes, for the purpose of maintaining them in good order and repair; and to enable said company to have access to said main gas pipes; no railroad track or ties, or any part thereof, or any like obstruction, shall be laid over said gas mains, or nearer than one foot in the clear from the bell joints of said gas mains, when measured by a vertical line, except where it is necessary for a railroad to cross said gas mains. And no gas pipes shall be laid nearer than four feet to any water main or service pipe, except where the pipes cross each other, nor shall any such gas pipes interfere with any future sewerage or other public improvements in said streets, lanes and alleys, but said company shall have the right to extend said pipes and box the same across any and all sewers, subject to the limitations aforesaid.

SEC. 3. All streets, lanes and alleys opened for the aforesaid purposes shall be repaired by the said company to the satisfaction of said city council, within a reasonable time, and said streets, lanes and alleys shall not be unnecessarily obstructed at any time; all excavations for gas pipes shall be made under the direction of the supervisor of streets, and the said gas company shall, at all times, be controlled and governed by the ordinances of the city then in force relating to the manner of laying distributing pipes, and of making and guarding excavations therefor.

SEC. 4. Said Salt Lake City Gas Company, its successors and assigns, shall be responsible for any damage, either to person or property, resulting from any act or negligence of the company, or its officers, agents or employés, which may accrue by reason of the exercise of any of the privileges herein granted.

SEC. 5. Unless a written acceptance of this resolution, with the conditions, restrictions and limitations therein contained, is

filed by the Salt Lake City Gas Company with the city recorder of Salt Lake City within sixty days from the date of the passage thereof, this resolution, and the franchise hereby granted, shall be void and of no effect.

[August 30, 1889.]

A RESOLUTION

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN SALT LAKE CITY AND THE SALT LAKE CITY GAS COMPANY AND THE SALT LAKE CITY POWER, LIGHT AND HEATING COMPANY, FOR LIGHTING THE STREETS OF SALT LAKE CITY.

Authorizing Execution of Contract for Lighting of Streets.

Be it Resolved by the City Council of Salt Lake City: That the mayor of said city be and is hereby authorized and directed to sign and execute the following contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city, and to deliver the same whenever it is properly executed by all the parties thereto. Said agreement to read as follows:

This agreement, made in triplicate, and entered into by and between Salt Lake City, a municipal corporation within the county of Salt Lake, in Utah Territory, and the Salt Lake City Gas Company, a corporation existing under the laws of said Territory, with its principal place of business in said city, county and Territory, and the Salt Lake Power, Light and Heating Company, a corporation existing under the laws aforesaid, with its principal place of business in the city, county and Territory aforesaid, witnesseth.

That whereas, said city and said gas company did mutually enter into a contract on or about February 8, 1887, by the terms of which it was mutually agreed that said company should furnish gas and light, extinguish and keep in repair certain of the city street lamps, for lighting the streets of said city at certain specified prices, and that said city should pay the said specified

prices for said services for the whole period embraced in said contract, to-wit: from January 1, 1887, to March 8, 1893; and

Whereas, said gas company has heretofore, in a communication to said city, dated April 11, 1889, offered to waive a part of said contract, to-wit: the unexpired term thereof, which relates to lighting the city street lamps of said city, without claim for costs or damages against said city; provided said city would make an agreement with the Salt Lake Power, Light and Heating Company to substitute an electric arc light at the intersection of the large blocks, over the area lighted by gas street lamps, at the same cost price over the same area as was then paid to said gas company for said gas lamps and in lieu of said gas lamps, the said gas company confirms said waiver by the signing of this agreement; and

Whereas, on the 13th of April, 1889, said Salt Lake Power, Light and Heating Company, petitioned said city to allow it to substitute said arc lights for street lighting as aforesaid in lieu of the said gas lamps over the same area, also to furnish the poles, wire, arc lamps and all other apparatus for the streets necessary to operate said electric lights at its own expense, provided the city would make a contract with said Salt Lake Power, Light and Heating Company to continue said lighting service (on account of the heavy outlay necessary), for a period of ten (10) years. Whereupon, the city council of said city, at its session of April 23, 1889, granted said petition.

In pursuance of which grant said Salt Lake Power, Light and Heating company, has built the necessary additional works, purchased and set up the necessary line of poles, set the wire, cross arms, and arc lamps, dynamos, and all the apparatus required for the successful operating and burning of said arc lights, has covered the area aforesaid with arc lamps which are now, and have been for some weeks, in successful operation, and has added such other lines of electric street lighting as have been ordered by said city, covering in all, at the present time, an area of streets lighted thereby of about twenty-five per cent more than the area formerly lighted by the gas lamps; said area being covered with fifty-five (55) arc lamps, which, with fifteen addition lamps already ordered, makes a total of seventy arc lamps.

Now, therefore, in consideration of the premises, and of the power of the city to contract for street lighting being limited by law to a term of three years, and in consideration of the sum of \$1 to each of the said parties thereto, it is hereby mutually agreed by and between said Salt Lake City and said Salt Lake Power, Light and Heating Company, that said city, within thirty days from the date hereof, will order the erection and running of thirty additional arc lamps, making one hundred arc lamps in all, which shall not be required to be over seven hundred and ninety-two feet apart, the distance heretofore adopted, and said Salt Lake Power, Light and Heating Company is hereby engaged to furnish, operate and run said one hundred arc lights for the full period of three years from and after January 1, 1890*, and said city agrees to pay said Salt Lake Power, Light and Heating Company, fifteen (\$15.00) dollars per month for each and every one of said arc lamps during the whole period of three years aforesaid, and in consideration of the premises, the said Salt Lake Power, Light and Heating Company promises and agrees with said city that it will erect and maintain the said arc lamps, as above provided, during the full period aforesaid, for the consideration and amount hereinbefore stated; said lights to be kept burning during the hours annually printed in the Philadelphia moon schedule for lighting streets, except on dark cloudy nights, when said lamps shall invariably be lighted at the usual hour for lighting in the dark of the moon.

In witness whereof, the said Salt Lake City has caused its corporate name to be hereunto attached by its mayor and its corporate seal to be hereunto affixed by its recorder, and the said Salt Lake Power, Light and Heating Company has caused its corporate name to be hereunto attached by its president, and its corporate seal to be hereunto affixed by its secretary, and the said Salt Lake City Gas Company has caused its corporate name to be hereunto attached by its president, and its corporate seal to be hereunto affixed by its secretary, this ——— day of ——— A. D. 1890.

[January 21, A. D. 1890.]

* February 2, 1892, this contract was extended to January 1, 1895.

AN ORDINANCE

FOR THE CONSTRUCTION AND MAINTENANCE OF STREET MAINS AND SERVICES FOR UTILIZING AND DISTRIBUTING NATURAL GAS FOR FUEL IN THE CITY OF SALT LAKE, UTAH.

Natural Gas—Franchise to American Natural Gas Company for Twenty Years.

SECTION 1. *Be it Ordained by the City Council of Salt Lake City, Utah:* That the said city of Salt Lake hereby gives and grants the American Natural Gas Company, a corporation organized and existing under the laws of Utah Territory, and its assigns as hereinafter specified and provided, for the term of twenty years from and after the passage of this ordinance, the right and privilege of constructing, maintaining and operating pipe lines for distributing and utilizing of natural gas for heat and fuel only, in the city of Salt Lake; *Provided*, that the rates to be charged consumers for such natural gas shall not exceed the sum of forty cents per thousand cubic feet, as measured by standard gas meters, and for the purpose of furthering and assisting said American Natural Gas Company, and its assigns, in supplying said natural gas, the said American Natural Gas Company and its assigns are hereby granted and given the right and privilege to use any and all streets, avenues and alleys of Salt Lake City, in which to lay and maintain mains and service pipes for conveying and distributing said natural gas as aforesaid throughout said city; *Provided*, that all streets, avenues and alleys be speedily repaired and put in as good condition as they were before excavations were made.

And provided further, that in the construction, maintenance and operation of said mains and service pipes, the said grantee and its successors and assigns shall, at all times, conform to such ordinances, rules and regulations as may hereafter be adopted by the city council of said city, in relation thereto; *provided further*, that the right shall be, and hereby is reserved to the city council, at any time after four years from the date of this ordinance, to reduce the maximum price that

said grantee, its successors or assigns, shall charge its consumers, to thirty cents per 1,000 feet.

SEC. 2. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said mains and service pipes by reason of the default or misconduct of said grantee, its successors and assigns, or its employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee for itself and successors and assigns to save the said city harmless from and against all liability, loss, costs, expenses, and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said mains and service pipes, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof, and the judgment therefor shall be final as between the said city and said grantee and its successors and assigns, and conclusive as to the liabilities of the latter to the former; *provided*, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

SEC. 3. This grant shall be null and void if said American Natural Gas Company or its assigns shall fail within one year from date hereof to lay mains and pipes from their gas wells to the limits of Salt Lake City, or shall fail within eighteen months from date hereof to lay in the city of Salt Lake at least five miles of main pipe not less than five and five-eighths inches in diameter; or shall not be able, for a continuous period of sixty days, at any time after eighteen months from date hereof, to furnish a sufficient quantity of natural gas to supply at least five hundred average families therewith for culinary and heating purposes. *Provided*, however, that any delay caused or time consumed by injunction, or any order of court, or any unavoidable accident or delay, or malicious interference, shall neither be counted nor work a forfeiture herein.

SEC. 4. Said American Natural Gas Company, or its

assigns, shall use only the best and most approved system of pipe for their mains and services.

SEC. 5. This ordinance shall take effect from its passage.
[January 12, A. D. 1892.]

AN ORDINANCE

FOR THE CONSTRUCTION AND MAINTENANCE OF STREET MAINS AND SERVICES FOR UTILIZING AND DISTRIBUTING NATURAL AND MANUFACTURED FUEL GAS IN THE CITY OF SALT LAKE, UTAH TERRITORY.

Natural Gas—Franchise to New American Gas and Fuel Company for Twenty Years.

SECTION 1. *Be it ordained by the City Council of Salt Lake City, Utah:* That the said city of Salt Lake hereby gives and grants to the New American Gas and Fuel Company, a corporation organized and existing under the laws of Utah Territory, and its assigns, as hereinafter specified and provided, for the term of twenty years from and after the passage of this ordinance, the right and privilege of constructing, maintaining and operating pipe lines for distributing and utilizing natural and manufactured fuel gas, for heat and fuel only, in the city of Salt Lake.

Provided, that the rates to be charged consumers for such natural gas shall not exceed the sum of thirty cents per one thousand cubic feet, as measured by standard gas meters; and for the purpose of furthering and assisting said New American Gas and Fuel Company, and its successors and assigns, in supplying said natural and fuel gas, the said New American Gas and Fuel Company, and its successors and assigns, are hereby granted and given the right and privilege to use any and all streets, avenues and alleys of Salt Lake City in which to lay and maintain mains and service pipes for conveying and distributing said natural and fuel gas as aforesaid throughout said city.

Provided, that all streets, avenues and alleys be speedily

repaired and put in as good condition as they were before such excavations were made; and

Provided further, that not more than one main pipe shall be laid in any one street without the expressed consent of the city council; and

Provided further, that in the construction, maintenance and operation of said mains and service pipes, the said grantee, and its successors and assigns, shall, at all times, conform to such ordinances, rules and regulations as may hereafter be adopted by the city council of said city in relation thereto.

SEC. 2. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said mains and service pipes, by reason of the default or misconduct of said grantee, its successors and assigns, or its or their employés, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee for itself, and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expenses and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said mains and service pipes, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said grantee, and its successors and assigns, and shall be conclusive as to the amount of damages and the liabilities of the latter to the former; *Provided*, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

SEC. 3. This grant shall be null and void if said New American Gas and Fuel Company, or its successors and assigns, shall fail within one year from date hereof to lay mains and pipes from their gas wells to the intersection of East Temple street and South Temple street, in Salt Lake City, Territory of

Utah, or shall fail within eighteen months from date hereof to lay in the city of Salt Lake at least five miles of main pipe not less than six inches in diameter; *Provided*, however, that any delay caused or time consumed by injunction or any order of court, or any unavoidable accident or delay or malicious interference, shall neither be counted nor work a forfeiture herein.

SEC. 4. Said New American Gas and Fuel Company, or its assigns, shall use only the best and most approved system and quality of pipe for their mains and services, such mains to be inspected and subject to the approval of the city engineer.

SEC. 5. The city council reserves and shall have the right to levy and collect from said company, in addition to the ordinary property taxes assessed upon its property, an annual royalty or tax not exceeding one (1) cent per thousand cubic feet upon all sales by said company, within the limits of said city, of fuel gas, either natural or manufactured. And for the purpose of enabling the city to make such assessments, said company will, at such stated periods as the city council may direct, make and file with the city recorder sworn statements of the amount of gas sold by it in said city.

SEC. 6. If, at any time, said company shall fail, neglect or refuse for a period of sixty days to comply with any provision of this franchise to be by it complied with, or shall fail, neglect or refuse for sixty days to comply with any regulation which may hereafter be lawfully imposed by the city council, this franchise and all rights under it shall, at the option of said city council, be forfeited, and the city shall at once, upon such forfeiture, have the right to require all pipes and other property of said company to be removed from its streets.

SEC. 7. The franchise herein granted shall not be operative unless said company shall, within ten days from the date of its passage and approval, file with the city recorder its acceptance, in writing, of the terms hereof, and also file with said city recorder, in writing, a specific relinquishment of all other or former grants, franchises or privileges now held or claimed by it. And this franchise, if accepted by said company, shall operate as a revocation of all other grants, franchises or privileges now held or claimed by said company.

SEC. 8. This ordinance shall take effect from and after its passage and approval.

[Passed by the city council July 5, 1892, and referred to the mayor for approval. Referred to the mayor for approval July 5, 1892; returned by the mayor with his disapproval July 9, 1892; presented to the city council July 12, 1892, and passed, notwithstanding the objections of the mayor thereto, by a vote of 11 yeas and 2 nays.]

A RESOLUTION

RELATING TO THE SALT LAKE POWER, LIGHT AND HEATING COMPANY.

Electric Light—Franchise to the Salt Lake Power, Light and Heating Company for Twenty-five Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City*, That the Salt Lake Power, Light and Heating Company, a corporation incorporated under the laws of the Territory of Utah, its successors and assigns, be and hereby are vested with the right and privilege of using the streets, lanes and alleys of said city for the purpose of conveying electrical currents by means of wires, to be used for lighting, and also conveying steam by means of pipes, to be used for heating and propelling machinery and for other purposes, to the inhabitants, property-owners and users in said city, for the term of twenty-five years.

SEC. 2. That said company, its successors and assigns, during said term, be and hereby are vested with the right and privilege of erecting and maintaining in the streets, lanes and alleys of said city, poles, and attaching thereto and extending and maintaining thereon wires, for the purpose of transmitting electrical currents within the limits of said city, to the inhabitants, property-owners and users thereof; *Provided*, that said poles shall not be set nearer than six feet to any fire hydrant, gas or water main, or service pipe; *and provided further*, that said streets, lanes and alleys shall be repaired by said company,

to the satisfaction of said city council, within a reasonable time, and said streets, lanes and alleys shall not unnecessarily be obstructed at any time; *and provided further*, that said poles shall be set and the wires suspended thereon under the direction of said city council or some person appointed by it.

SEC. 3. That said company, its successors and assigns, during the said term, be and are hereby vested with the right and privilege of laying, extending and maintaining one or more pipes, for the purpose of conveying steam as aforesaid, at any point or points, in, along or across the streets, lanes and alleys lying south of South Temple street and north of Fourth South street, and between Second East and Second West streets, and at such other points as the said city council may hereafter permit; *Provided*, that said steam pipes shall not be required to be laid more than three feet beneath the surface of the ground; *and provided further*, that said steam pipes shall not be laid nearer than four feet to any gas or water main or service pipe, except where the pipes cross each other, or interfere with any future sewerage or other public improvements in said streets, lanes and alleys. But said company shall have the right to extend said pipes and box the same across any and all sewers. And, subject to the limitations aforesaid, steam pipes, when laid, shall be laid and extended under the direction of the city council or some person appointed by it.

SEC. 4. That said Power, Light and Heating Company, its successors and assigns, shall be responsible for any damage, either to person or property, resulting from any act or negligence of theirs which may accrue by reason of the exercise of any of the privileges herein granted.

[January 11, 1881.]

CHAPTER XXI.

IRRIGATION.

Period of Artificial Irrigation.

SECTION 1. The period of artificial irrigation shall be from the first day of April to the first day of November, annually.

[April 3, 1883.]

Apportionment of Water.

SEC. 2. On or before the first day of April, annually, the city watermaster shall apportion and allot the water flowing through the natural and artificial channels into said city to the persons entitled to water, and issue to said persons a certificate specifying the time during which such waters may be used; said apportionment and allotment shall be made with respect to time and the amount of water available in proportion to the quantity of land to be irrigated.

[April 3, 1883; February 14, 1888.]

Watermaster to Locate Ditches, etc.

SEC. 3. It shall be the duty of the city watermaster to see to the proper location, construction and repair of all public gates, dams, flumes, ditches and reservoirs necessary for the controlling and distributing of such water, that the water may not be wasted, streets or sidewalks overflowed or obstructed, or public or private property damaged. He shall also keep a record of the location of all such principal gates, dams, flumes, ditches, canals and reservoirs, which shall show the nature of their construction, the length and capacity of the principal canals and ditches; also the extent and nature of the ownership of other corporations or of individuals or associations in or to any of

such ditches or canals, or of any stream, spring or lake in or to which the city has a joint or other interest, ownership or claim; and such record shall also show the location of all bridges which are beyond the corporate limits and across any ditch, canal, stream or other water conduit in which the city is part owner, and which said bridges it is the duty of the city to keep in repair. Said records shall also show the location of all weirs, or other means employed to divide the waters of any ditch, canal, stream or other conduit for irrigation water, as well as the proportion of water to be divided or drawn from said weirs or other devices, and to whom and at and during what particular times and seasons water is to be drawn, together with such other information as may be necessary to enable a proper understanding of the city's rights from an examination of said records.

[April 3, 1883.]

Head-Gates and Branch Ditches.

SEC. 4. No person shall convey water from a public ditch to his lot or premises by an irrigation ditch without first having constructed, under the direction of the city watermaster, a substantial gate, both in the public ditch and at the head of his branch ditch; the latter he shall keep closed and water-tight except during the period allotted to him for the use of such water. And where such branch ditch crosses any portion of a sidewalk, the same shall be made of lumber or other substantial material, the covering of which shall be on a level with such sidewalk.

[April 3, 1883.]

To Guard Against Damage.

SEC. 5. Where persons are obliged to convey water across lands lying between their premises and the public water ditches, the same shall be done with the least possible injury to property, both in constructing the necessary ditches and in managing the water flowing therein, and such persons shall be liable for all damages caused by negligence in the construction of said ditches or in the management of water flowing therein.

[April 3, 1883.]

Right of Way Along Ditches.

SEC. 6. Where public water ditches pass through private grounds, the right of way for which has been acquired, the city watermaster and his assistants are authorized to pass along said ditches, as occasion may require, during the continuance of such right.

[April 3, 1883.]

Surplus Water.

SEC. 7. All persons using water for irrigation or other purposes shall conduct the surplus or waste water into a public water ditch, and shall not allow such water to flood the streets, sidewalks or private property to the damage thereof, or to run to unnecessary waste.

[April 3, 1883.]

Penalty for Wrongful Diversion of Water.

SEC. 8. Any person who shall turn the water from any public water ditch or reservoir, or from any private irrigating ditch during said irrigating period, except when the use of such water has been duly allotted to him, or who shall wilfully or maliciously break any dam, gate, sluice or ditch used for diverting or controlling such water, or in any manner change the current or flow of water used for irrigating purposes, in any of said ditches, shall, on conviction thereof, be liable to a fine in any sum not exceeding fifty dollars, or to imprisonment not exceeding fifty days, or to both such fine and imprisonment.

[April 3, 1883.]

Appeal from Apportionment.

SEC. 9. Any person aggrieved at the proportion of water allotted to him by the city watermaster, or at any other act claimed to have been done under the provisions of this chapter, may, on written complaint, be heard by the city council, who shall determine the same and grant such relief as may be proper; but all such complaints must be presented to the council within twenty days from the origin of the act complained of.

[April 3, 1883.]

Quarterly Report.

SEC. 10. The city watermaster shall report his proceedings to the city council quarterly, or oftener if required by the council.

[April 3, 1883.]

Public Water Ditches Defined.

SEC. 11. Public water ditches are defined to be : First, the natural and artificial channels through which water flows into Salt Lake City; second, those constructed along the streets; and, third, those through lots and blocks, for public use and over which the city exercises exclusive control and jurisdiction.

[April 3, 1883.]

Where Public Ditches May Be Crossed.

SEC. 12. It shall be unlawful for any person to drive any wagon or other vehicle across any public water ditch or canal within the corporate limits of said Salt Lake City, other than at a regular crossing, or place any pole, board, or any other obstruction whatever, in any such public ditch or canal, for any purpose, or in any way interfere with the free and unobstructed flow of water in such ditch or canal.

[May 9, 1892.]

Bridges and Flumes.

SEC. 13. Any person desiring to drive across any public water ditch or canal, at any place other than at a public crossing, shall, before doing so, place over said ditch or canal a good and substantial bridge, or in said ditch or canal a good and substantial covered flume, as the city watermaster may direct and decide, sufficiently high and of sufficient capacity so as not to interfere with or prevent the free and unobstructed flow of water in said ditch or canal, said bridge or flume to be constructed under the direction of the watermaster of said city.

[May 9, 1892.]

Penalties.

SEC. 14. Any person violating any of the provisions of this chapter, when no other penalty is prescribed, shall, on con-

viction thereof, be punished by fine not exceeding twenty-five dollars, or by imprisonment not exceeding twenty-five days, or both such fine and imprisonment.

A RESOLUTION

PROVIDING FOR THE CONSTRUCTION OF THE JORDAN AND SALT
LAKE CITY CANAL.

Jordan and Salt Lake City Canal.

Be it Resolved by the City Council of Salt Lake City: That for the purpose of increasing the water supply of said city, the corporation thereof shall proceed to construct a canal to convey water from the Jordan river into said city. Said canal shall be known as the Jordan and Salt Lake City Canal, and be located as follows, viz.: Commencing at a point on the east bank of said river, where the waters of the South Jordan canal are taken out, and running in conjunction with said canal to where its flume crosses said river; thence in a northeasterly direction to the first workings of the Deseret Irrigation and Navigation Canal Company's canal near Big Cottonwood; thence on the route of said canal, so far as practicable, to Salt Lake City. The said canal shall be made twenty feet wide in the bottom, with banks sloping at an angle of not to exceed forty-five degrees, at the discretion of the engineer of construction, and of sufficient capacity to safely carry four feet in depth of water.

Be it further Resolved, That the city council shall appoint a competent engineer of construction for said canal, and that the mayor, one member of the city council, to be selected by that body, and said engineer, shall constitute a committee to supervise the construction of said canal, with authority to negotiate with the land-owners through whose lands said canal will pass, and secure a right of way therefor, and the title to all such lands, when acquired, shall vest in the corporation of Salt Lake City. Said committee may advertise in some newspaper

having general circulation in the city, to let contracts for excavation and other labor, to contract for or purchase all materials necessary for said work, employ workmen and perform all other duties necessary to the construction and completion of said canal. Said committee shall report its doings monthly, or oftener, if required by the city council, and shall be subject to its direction.

Be it further Resolved, That all moneys that may be received to assist in defraying the expense of constructing said canal, whether from the United States, the Territory of Utah, Salt Lake county or from any private person, shall be paid into the city treasury to the credit of said canal and be used exclusively therefor. All labor done by persons, either individually or collectively, on account of securing an interest in the waters of said canal, shall be credited to them and held to apply upon any assessment which may be made on their lands for irrigating water. That whenever necessary for the prosecution of the work on said canal, the city council may, for the time being, appropriate from the general fund of the corporation enough money for that purpose, charging the same to said canal. No funds shall be disbursed on account of said canal except upon vouchers certified to by the engineer of construction and countersigned by one other member of the committee of supervision; and

Be it further Resolved, That when said canal is completed, the waters flowing through it shall be controlled and distributed through the various water ditches of said city, under the same regulations as are provided by "An ordinance relating to the control and distribution of the waters flowing into Salt Lake City," passed March 4, 1879, and no waters shall be distributed from said canal to any lands lying outside the corporate limits of said city.

[November 25, 1879.]

PARLEY'S CAÑON CREEK.

A RESOLUTION

AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH CERTAIN OWNERS OF THE WATERS OF PARLEY'S CAÑON CREEK.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the mayor of said city is hereby authorized to sign the following agreement on the part of Salt Lake City, made and entered into by and between said Salt Lake City and the owners of primary rights to the use of the waters of Parley's Cañon Creek, to-wit:

AGREEMENT:

This agreement, made and entered into this 25th day of June, A. D. 1888, by and between the owners of the primary right to the waters of Parley's Cañon Creek, whose names are signed hereto, of Salt Lake County, Territory of Utah, parties of the first part, and Salt Lake City, a municipal corporation of the Territory of Utah, party of the second part, witnesseth:

Whereas, the parties of the first part are the owners of primary rights to the waters of Parley's Cañon Creek, and the party of the second part is the owner of the Jordan and Salt Lake City Canal, which conveys water from the Jordan river at a point near what is called the "Narrows" in said river to Salt Lake City for irrigation purposes; and

Whereas, the party of the second part is desirous of obtaining water for irrigation and culinary purposes to supply a portion of the inhabitants of said city whose lands lie above the said Jordan and Salt Lake City Canal, it being impracticable to irrigate said lands from the waters of said canal and for sprinkling streets above the line of said canal, and for other uses and purposes connected with the welfare of the inhabitants of said city; and

Whereas, the agent of said second party, to-wit, the mayor of Salt Lake City, has made propositions to the parties of the first part, with a view to making an exchange of the waters of Parley's Cañon creek, owned by the parties of the first part, for those of the Jordan and Salt Lake City canal, and said parties of the first part have met and considered said propositions, and have agreed to make said exchange under proper conditions and restrictions; now, therefore,

It is hereby agreed as follows: The parties of the first part, whose names are signed hereto, agree to exchange the waters of the Parley's Cañon creek to which they are entitled for an equivalent quantity of water from the Jordan and Salt Lake City canal down to the time when the primary rights exhaust the whole of said creek for irrigation purposes (and for the quantity of water to be furnished after said last named time as next hereinafter further agreed), and to permit, allow and authorize said party of the second part to take said waters of the Parley's Cañon creek at any point it may choose, and devote the same to the use and benefit of the inhabitants of Salt Lake City.

And it is further agreed, that at each season when the period arrives that the waters of said Parley's Cañon creek are at their normal stage—that is to say, when they are at the stage when the owners of the primary rights therein are entitled to the whole of said stream for irrigating purposes—then the party of the second part shall have the waters of said creek measured at the place where it takes said waters from said Parley's Cañon creek, and the board hereinafter provided for shall decide as to such time; and it hereby guarantees to furnish to the parties of the first part from and after the date of such measurement, and until the fifteenth day of August, a continuous supply of water from said canal equal to the portion of said creek owned by the parties of the first part at the time of such measurement; and at the last named date the waters of said creek shall be measured again as aforesaid, and the party of the second part shall furnish to the parties of the first part, from and after said measurement, a continuous supply of water from said canal equal to the portion of said creek owned by them at the time of said last measurement during the remainder of the season.

The second party agrees to maintain all existing rights of the parties of the first part to the waters of the said Parley's Cañon creek, and to keep in repair the said Jordan and Salt Lake City canal, and by its agent, jointly with the agent of the parties of the first part, on the exchange aforesaid; and also to construct the necessary ditch or ditches, headgates and dams to take out the said waters of the said canal and Parley's Cañon creek, and provide for rights of way for the same, all at its own cost and expense, and without cost or expense to the parties of the first part.

If at any time either party shall feel aggrieved at the action of the other party as to the fulfillment of or as to any condition or portion of this agreement, it is agreed by and between the parties hereto that said board shall decide the question in issue between said parties, and its decision shall be final.

If at any time the party of the second part, through any cause whatever, fail to supply to the parties of the first part the said quantity of water from said canal, it is expressly understood and agreed that said parties of the first part shall be restored to the portions of Parley's Cañon creek appropriated and used by the party of the second part under the terms of this agreement; and in case of said failure on the part of said party to furnish the waters in said canal for the use of the parties of the first part as hereinbefore specified and agreed, it shall not be necessary for the parties of the first part to apply to any court or process of law to regain their rights in the waters of said Parley's Cañon creek, but their agent may at once give notice to the agent of the party of the second part of the said failure of the said party to furnish the said water in said canal as aforesaid, and if such default and failure on the part of said party of the second part shall continue for a period of twelve hours, then said agent for said first parties may at once proceed to turn said waters of said creek into their original channel, and place the same to the use of said parties of the first part, and all expense and damages caused by the failure to furnish said canal waters as aforesaid shall be borne by the said party of the second part.

In case it shall happen at any time that the parties of the first part are forced to retake the water from Parley's Cañon creek for and on account of the failure of the party of the

second part to furnish water from its canal as aforesaid, they hereby agree that the party of the second part may again have the waters from Parley's Cañon creek on the same terms and conditions as are herein specified, by furnishing to the parties of the first part, the water from said canal and sufficient more from that source within a time to be determined by said board to make up for any delays in irrigating occasioned by said default.

Provided, that if said default should continue; that is to say, if the party of the second part should fail to supply said canal water to the parties of the first part for a period of six months, then this agreement shall be null and void, and the party of the second part shall not be liable for any damage resulting from such default or failure to furnish said canal water except the damage that may have accrued before the termination of this agreement.

The party of the second part further agrees that it will not by its action diminish the quantity of water to which any one may be entitled in the Kennedy ditch or Parley's Cañon creek, who is not interested in this exchange.

It is further agreed by the parties hereto that the waters shall be turned into and flowing in the Jordan and Salt Lake City canal as soon as April 1st in each year.

It is mutually agreed that by March 1st in each year the two parties hereto shall each choose an agent, and they two a third, to constitute a board, a majority of whom can lawfully act; if the two agents cannot agree on a third within ten days, then said first parties shall select a wholly disinterested person as the third, from any place in Salt Lake county, Utah Territory, excepting only Salt Lake City and the owners of Parley's Cañon creek. It is agreed that said board shall decide all questions that arise in reference to this agreement, whether the same be absolutely forfeited or not (except only as to the renewal of this agreement after absolute forfeiture), except as otherwise herein specially provided, and then in the latter instance in case of disagreement said board shall decide.

When agents are referred to in this agreement, they are meant who are selected by the parties hereto and in part constitute the board.

In case of a vacancy in said board, the same shall be filled as originally. If at any time where it is necessary for the agents or board to act immediately, and the proper number cannot be found to act within twelve hours, then the remaining agent or agents or board may act as legally as though both agents or a legal board were present; and in other cases the same may be done after the expiration of fifteen days.

As it is the intention of the parties hereto, that said first parties shall have no expense whatever to defray by reason of the said exchange, it is mutually agreed that said second party shall hold said first parties wholly harmless, in consequence of the exchange of said waters.

It is mutually agreed that said second party shall defray all expenses and fees of said board and of first parties' agent. It is mutually agreed that in any part of the year when said canal water is not furnished to said first parties, then and in that event said first parties are entitled to the waters of Parley's Cañon creek.

Whenever "first parties" are spoken of in this agreement it means, in addition to the natural meaning, the heirs, executors, administrators and assigns of said first parties.

This agreement shall be perpetual if the covenants and conditions herein expressed are kept and complied with.

It is further agreed that the party of the second part shall pay the assessment that shall be made yearly or oftener; and keep in repair what is known as the Kennedy ditch to the same extent and to the full amount that would be borne with the land owners below said canal using the water from said ditch; that is to say, the party of the second part shall do the work on said ditch that has been heretofore done by those obtaining water therefrom that owned land below said canal.

In witness whereof, we the undersigned parties of the first part have hereunto set our hands and seals, and the mayor of Salt Lake City, for and in behalf of the party of the second part, has hereunto set his hand and caused the corporate seal of said city to be hereunto affixed, the day and year in this agreement first above written.

[July 31, 1888.]

CHAPTER XXII.

LICENSES.

Doing Business Without License Unlawful.

SECTION 1. It shall be unlawful for any person to engage in or carry on any business, trade, profession or calling, for the transaction or carrying on of which a license is required, without first taking out or procuring the license required for such business, trade, profession or calling.

[February 14, 1888.]

License to Be Paid in Advance.

SEC. 2. No license shall be issued to any person, firm or corporation except the amount required for said license shall have been first paid to the city treasurer, and upon presentation of his receipt to the officer authorized to issue such license, and complying with the provisions of this chapter in reference to such license, the same shall be issued to the person, firm or corporation requiring the same.

[October 21, 1890.]

Applications—How License Issued—Record.

SEC. 3. All applications for license shall be made in writing to the mayor. All licenses, except liquor licenses, shall be issued and signed by the mayor, or presiding officer of the city council, and attested by the city recorder under the seal of the city. The recorder shall keep an alphabetical list of licenses issued, stating the number, name, time, place and kind of business, and the amount paid, with such remarks as may be considered necessary.

[February 14, 1888.]

What License to Contain—Assignment.

SEC. 4. Every such license shall specify by name the person, firm or corporation to whom it shall be issued, and shall designate the particular place at which the business shall be carried on. No license granted or issued under any of the provisions of this chapter, or otherwise, shall be in any manner assignable or transferable, or authorize any person other than is therein mentioned or named, to do business, or authorize any other business than is therein mentioned or named to be done or transacted, or the business therein mentioned or named to be done or transacted, at any place other than is therein mentioned or named, unless by permission of the mayor endorsed on such license.

[February 14, 1888.]

No Rebate Allowed—Exceptions.

SEC. 5. No rebate shall be allowed upon any license, unless in case wherein the party or parties to whom a license has been issued has been damaged by fire or other unforeseen accident; or unless in case of affliction or poverty. And in such cases the council shall have discretionary power as to what, if any, amount shall be rebated.

[November 10, 1891; November 24, 1891.]

Evidence of Liability to Pay License.

SEC. 6. In any action brought under or arising out of the provisions of this ordinance, the fact that the party thereto represented himself or herself as engaged in any business or calling, for the transaction of which a license is by city ordinance, required, or that such party exhibit a sign indicating such business or calling, shall be conclusive evidence of the liability of such party to pay for a license.

[November 24, 1891.]

Quarterly and Half-Yearly Licenses.

SEC. 7. Licenses for any vocation or business for which a yearly license is required, may be issued for terms of six months, upon the payment of seven per cent. additional upon

one-half of the amount of the yearly license; and for terms of three months, upon the payment of ten per cent. on one-fourth of such yearly license.

[February 14, 1888.]

Free Licenses, When May Be Given.

SEC. 8. If any person shall furnish such evidence as shall satisfy the committee on license that he or she, by reason of misfortune or physical infirmities, merits exemption from the payment of any license herein required, the mayor may remit such license upon the recommendation of a majority of such committee; *Provided*, that no license to manufacture or sell intoxicating liquors shall be remitted.

[February 14, 1888.]

Penalty.

SEC. 9. Whoever violates any of the provisions or requirements contained in this chapter, where the penalty is not provided, shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding one hundred days, or both.

Auctioneers—License Required—Bond.

SEC. 10. No person shall be allowed to sell or expose for sale, by way of vendue, or auction, any property within the limits of said city, without first obtaining a license for such purpose, for which such person shall pay into the city treasury the sum of one hundred dollars and give a bond to said city, with approved securities, in the sum of one thousand dollars, conditioned for the honest and due performance of all duties as herein required, which bond shall be approved by the city recorder and filed in his office.

[February 14, 1888 ; November 24, 1891.]

Auctioneers to Give Receipts for Goods.

SEC. 11. All auctioneers so licensed shall receive all articles which they may be required to sell at auction, and give receipts for the same; and at the close of any sale shall deliver a fair account of such sale and pay the amount received for such

articles to the person or persons entitled thereto, deducting therefrom a commission not to exceed ten per cent. on the amount of such sales.

[February 14, 1888.]

Auctioneers Forbidden to Make Obstructions.

SEC. 12. All auctioneers are hereby forbidden to sell, or expose for sale, any kind of property so near to the streets as to cause people to gather in crowds on the sidewalks so as to obstruct the same, or to use immoral or indecent language in crying their goods, or to make noisy acclamations or ring bells through the streets in advertising their goods or chattels. Nothing herein shall be so construed as to prohibit any sheriff, constable or other officer, whose duty shall require him to sell property at public auction, from so doing.

[February 14, 1888.]

Boarding-Houses—Sworn Statement—License.

SEC. 13. Whoever shall rent rooms, furnished or unfurnished, and board the occupants of such rented rooms, or board not exceeding twenty persons, shall be deemed a boarding-house keeper. Every boarding-house keeper shall make a statement as to the location of the house, the number of rooms contained in such house, and the number of persons which such house will reasonably accommodate, which statement shall be sworn to before the mayor or recorder. The recorder shall file all such statements, and yearly licenses may be issued thereon as follows:

For houses containing rooms which will accommodate over ten persons and not exceeding twenty persons. . \$20.00
And all houses containing rooms which will accommodate over twenty persons shall be deemed to be hotels.

[June 19, 1883; February 14, 1888; November 24, 1891.]

Billiard or Pool Tables—Ten-Pin Alley.

SEC. 14. No person shall keep or use in any public place in this city any billiard or pool table or tables, or any pin or ball alley, or nine or ten-pin alley or alleys, or the runway or

runways of either thereof, in or on which games are played, without first obtaining a license and paying a tax therefor, as hereinafter provided.

[April 15, 1884.]

Billiard Tables—Number—Amount of License.

SEC. 15. All applications for licenses contemplated by the preceding section shall state the number and kind of tables, pin or ball alleys, or nine or ten-pin alleys, and the runways thereof, to be licensed, and the place of keeping the same. Upon the filing of such application, and upon payment into the city treasury of forty dollars per annum for each and every such table, and of forty dollars per annum for each and every pin or ball alley or nine or ten-pin alley, and the runway thereof, specified in said application, yearly licenses may be issued thereon.

[April 15, 1884; February 14, 1888.]

Billiard Tables, etc., Not to Be Used Sunday.

SEC. 16. Every person who keeps for use in any public place in this city any billiard or pool table or tables, or any pin or ball alley, or nine or ten-pin alley or alleys, or the runway or runways of either thereof, without first obtaining a license therefor, as hereinafter provided, or who permits any such billiard or pool table or tables, or any such pin or ball alley, or nine or ten-pin alley or alleys, or the runway or runways of either thereof, to be used on the first day of the week, commonly called Sunday, shall, for each and every such offense, upon conviction, be punished by fine in any sum not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding one hundred days, or by both such fine and imprisonment, at the discretion of the court.

[April 15, 1884; February 14, 1888.]

Fresh Meat Dealers.

SEC. 17. Every person, firm or corporation, before engaging in the business of selling fresh meats within this city, must obtain a license therefor. Before such license is issued, there shall be filed with the recorder an application, which shall show the name of the applicant, his place of business, the period for

which such license is desired, and must also show, on oath, the amount of sales made or business done by him for the month next preceding, provided said business has been transacted during that time, and, if not, approximate from the best information to be obtained of the business to be done. Any person violating any of the provisions of this section shall, upon conviction, be fined in any sum less than one hundred dollars.

[April 17, 1888. See section 32 of this chapter.]

Hotels or Taverns—Statement—License.

SEC. 18. Whoever shall keep any public house, with lodging rooms for the accommodation of more than twenty persons, is declared to be a tavern or hotel keeper. Every tavern or hotel keeper shall make a statement of the number of rooms of all kinds his house contains, which statement shall be sworn to before the mayor or the city recorder, by the tavern or hotel keeper or his duly authorized agent. The recorder shall file all such statements in alphabetical order, and yearly licenses may be issued thereon, as follows, viz.:

Over 100 rooms shall constitute first class, and shall pay.	\$200
Over 75 to 100 rooms shall constitute second class, and shall pay.....	150
Over 50 to 75 rooms shall constitute third class, and shall pay.....	100
Over 25 to 50 rooms shall constitute fourth class, and shall pay.....	50
Twenty-five rooms and under shall constitute fifth class, and shall pay.....	25

[February 14, 1888; November 24, 1891.]

Liquors—License From City Council.

SEC. 19. No person shall manufacture, sell, barter, deal out or otherwise dispose of any spirituous, vinous, malt or other intoxicating liquors, without first obtaining from the city council a license therefor as hereinafter provided.

[March 14, 1882.]

Liquor at Retail and Wholesale.

SEC. 20. Any person (or persons) who engages in the sale of spirituous, vinous, malt or other intoxicating liquors, both at

retail and wholesale, in Salt Lake City, may conduct said business by procuring a retail license and giving bond in the manner prescribed in section 22 of this chapter; *Provided*, that only one bar be run upon said premises, and that said business be conducted under the same roof and upon the same floor. A further privilege is hereby granted under said license for cellar or store-house conveniences, said cellar or store-house to be used exclusively for storage purposes.

[November 10, 1891.]

Liquor License Applications and Bond.

SEC. 21. Applications for such license shall be made by petition to the city council, signed by the applicants and filed with the recorder. Said petition must state definitely the particular place at which the said liquors are to be manufactured, sold, bartered, dealt out or otherwise disposed of, and whether at wholesale or retail. The applicant shall also file with the petition a bond to Salt Lake City, conditioned that during the continuance of his license he will keep an orderly and well-regulated house, that he will not allow gambling with cards, dice or any other device or implements used in gambling, within his house where such business is conducted; that he will pay all damages, fines and forfeitures which may be adjudged against him under the provisions of this chapter and an act of the Governor and Legislative Assembly of the Territory of Utah, entitled, "An act licensing and regulating the manufacturing and sale of intoxicating liquors," approved February 29, 1884, and the amendments thereto. Said bond shall be in the sum of one thousand dollars, with two or more sureties, to be approved by the mayor. Said sureties must justify on oath before some officer authorized to administer oaths that they are residents within the Territory, and are worth the amount specified in said bond over and above all other debts and liabilities, exclusive of property exempt from execution. Such justification shall be in writing, signed by the persons justifying and certified to by said recorder, and be attached to and filed with the bond.

[March 14, 1882.]

Liquor License for Three Months—Certificate.

SEC. 22. On the city council granting the license petitioned for, which shall be for the period of three months, the applicant shall pay into the city treasury the amount hereinafter specified for such license, and shall receive the treasurer's receipt therefor, and present the same to the recorder, who shall thereupon issue to the applicant a certificate of license, which certificate shall state the name of the person or persons licensed, the place of business, the kind or kinds of liquors to be manufactured, sold, bartered or otherwise disposed of, the date of commencement and expiration of such license and the class of business to be conducted under said license; that the person or persons named therein are duly authorized to carry on the business of manufacturing, selling, bartering or otherwise disposing of intoxicating liquors, as the case may be, at the place and for the time therein specified, and that the license is not transferable. Said certificate shall be signed by the recorder, who shall seal the same with the seal of the city.

[March 14, 1882.]

Liquor—Terms Defined.

SEC. 23. A *manufacturer*, as contemplated in this chapter, is one who manufactures any of the before-mentioned liquors, and sells the same at wholesale, as follows: If in kegs, not less than two gallons; if in bottles, not less than one dozen; but no such liquor shall be sold or otherwise disposed of to be drunk on the premises where manufactured.

A *wholesale dealer*, as contemplated in this chapter, is one who sells or otherwise disposes of such liquors in any quantity not to be drunk on the premises where sold.

A *retail dealer*, as contemplated in this chapter, is one who sells or otherwise disposes of such liquors in any quantity, and also by the glass or dram, to be drunk on the premises where sold.

[March 14, 1882.]

Liquor—Amount of License.

SEC. 24. The following-named sums shall be paid into the city treasury in advance for each license granted, as herein provided:

First—As a manufacturer, \$150.

Second—As a wholesale dealer, \$250.

Third—As a retail dealer, \$300.

For each and every bar at which malt, vinous or spirituous liquors are retailed, and each license for a retail dealer shall distinctly specify that said license is for one bar only.

[March 14, 1882; December 11, 1888; June 10, 1890.]

Liquor—License for Bottling or Casking.

SEC. 25. Any person (or persons) who engages in the business of bottling or casking, by process of machinery, or who establishes a plant for the purpose of bottling any spirituous, vinous, malt or other intoxicating liquors in Salt Lake City, which are not prepared or manufactured in Salt Lake county, and selling the same, shall pay to the city treasurer, in advance, the sum of one hundred and fifty (\$150) dollars per quarter, and give bond in the same manner as prescribed in section 21 of this chapter, pertaining to manufacturers of liquor.

[November 10, 1891.]

Liquor Selling to Indians, Minors, etc., Forbidden.

SEC. 26. Any person, be he owner, agent, bar-tender or employé who shall knowingly, give, sell, or otherwise dispose of any intoxicating drink to an Indian, insane or idiotic person, or to any minor, apprentice or employé under the age of twenty-one years, without the consent, in writing, of the parents, guardians or employer thereof, or who shall permit any Indian, insane or idiotic person, or employé under twenty-one years of age, or any female to be and remain in his place of business where liquors are sold, after the hour of nine o'clock p. m., shall be held and deemed guilty of a misdemeanor, and, on conviction thereof, be fined not less than twenty-five nor more than one hundred dollars, or be imprisoned for a period not exceeding one hundred days, or both such fine and imprisonment, and shall pay all costs of prosecution for every such offense.

[March 14, 1882, March 18, 1890.]

Liquor Selling on Sunday Prohibited.

SEC. 27. Any person licensed as aforesaid, or any person neglecting or refusing to obtain a license as herein provided, who shall sell, give away or otherwise dispose of any intoxicating drink at any time during the first day of the week, commonly called Sunday, except he be a druggist, and then only for medicinal purposes, upon the prescription of a regularly licensed physician, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, or be imprisoned for a period not exceeding one hundred days, or both such fine and imprisonment.

[March 14, 1882.]

Liquor—Gambling, etc., Prohibited Where Sold.

SEC. 28. It shall be unlawful for any person to permit, at any place under his control where intoxicating liquors are sold, any gambling, with or without betting, by means of dominoes, cards, dice or other articles, every game of chance, and every other description of gaming or gambling. He shall prohibit music, dancing, drunkenness and all disorderly conduct on his premises.

[March 14, 1882; February 14, 1888.]

Liquor—Election Days and Holidays.

SEC. 29. The mayor, whenever, in his judgment, the peace, good order and safety of the city or its inhabitants shall require it, and on municipal, county and Territorial election days, and on all legal holidays, may, by proclamation, forbid the sale, barter, dealing out or otherwise disposing of spirituous, vinous, malt, or other intoxicating liquors for any given period, not to exceed twenty-four hours at any one time, and any person who shall sell, barter or give away any such liquors in contravention of such proclamation, shall, on conviction, be fined in any sum not exceeding one hundred dollars for each offense.

[March 14, 1882; February 14, 1888.]

Livery Stables—Amount of License.

SEC. 30. A livery stable keeper is one who keeps for hire horses, carriages or other vehicles. Every livery stable keeper

shall make a statement of the number of animals and vehicles of all descriptions to be kept by him, which statement shall be sworn to, before the mayor or city recorder, by the livery stable keeper or his duly authorized agent. The city recorder shall file all such statements, and may issue yearly licenses thereon as follows, viz.:

For 35 vehicles and over with animals, \$200 yearly.

For 20 to 35 vehicles with animals, \$100 yearly.

For more than 10 and less than 20 vehicles with animals, \$60 yearly.

For 5 and under 10 vehicles with animals, \$30 yearly.

For less than 5 vehicles with animals, \$15 yearly.

[February 14, 1888; November 24, 1891.]

Merchants, Retailers, Bankers, etc.—Amount of License.

SEC. 31. Every merchant and retailer, before commencing or carrying on his business, shall make a statement of the cash value of all goods, wares and other merchandise which he may have in his possession or under his control, whether owned by him or consigned to him for sale, which statement shall be sworn to before the city treasurer or city recorder, by the merchant making it, or his duly authorized agent; *Provided*, that if any merchant shall increase his stock beyond the limit of his class of business during the period of his license, he shall procure an additional license for such increase. Every banker, broker and money changer shall make a statement, under oath, sworn to before the mayor or recorder, of the value or amount of the capital employed in his business. The recorder shall file all such statements in alphabetical order, and yearly licenses may be issued thereon as follows:

Over \$500,000 shall constitute first class, and pay.....	\$500
Over \$400,000 and not exceeding \$500,000 shall constitute second class, and pay.....	450
Over \$300,000 and not exceeding \$400,000 shall constitute third class, and pay.....	400
Over \$200,000 and not exceeding \$300,000 shall constitute fourth class, and pay.....	350

Over \$100,000 and not exceeding \$200,000 shall constitute fifth class, and pay.....	\$300
Over \$75,000 and not exceeding \$100,000 shall constitute sixth class, and pay.....	250
Over \$60,000 and not exceeding \$75,000 shall constitute seventh class, and pay.....	225
Over \$50,000 and not exceeding \$60,000 shall constitute eighth class, and pay.....	200
Over \$40,000 and not exceeding \$50,000 shall constitute ninth class, and pay.....	175
Over \$30,000 and not exceeding \$40,000 shall constitute tenth class, and pay.....	150
Over \$20,000 and not exceeding \$30,000 shall constitute eleventh class, and pay.....	125
Over \$15,000 and not exceeding \$20,000 shall constitute twelfth class, and pay.....	100
Over \$10,000 and not exceeding \$15,000 shall constitute thirteenth class, and pay.....	90
Over \$8,000 and not exceeding \$10,000 shall constitute fourteenth class, and pay.....	80
Over \$5,000 and not exceeding \$8,000 shall constitute fifteenth class, and pay.....	70
Over \$4,000 and not exceeding \$5,000 shall constitute sixteenth class, and pay.....	60
Over \$3,000 and not exceeding \$4,000 shall constitute seventeenth class, and pay.....	50
Over \$2,000 and not exceeding \$3,000 shall constitute eighteenth class, and pay.....	40
Over \$1,000 and not exceeding \$2,000 shall constitute nineteenth class, and pay.....	30
Over \$500 and not exceeding \$1,000 shall constitute twentieth class, and pay.....	25
Over \$200 and not exceeding \$500 shall constitute twenty-first class, and pay.....	15
Not exceeding \$200 shall constitute twenty-second class, and pay.....	10

Provided, that under classes twenty-one and twenty-two no person shall have the right to sell tobacco and cigars. The pro-

visions of this section shall not be construed to authorize any person to sell spirituous, vinous or fermented liquors in any quantity.

[February 14, 1888.]

Miscellaneous Licenses—Amount of.

SEC. 32. Every person, before engaging in or pursuing any business, vocation or calling hereinafter mentioned shall obtain a license so to do, and make yearly (except where otherwise provided) payments into the city treasury, in advance, as follows :

For a license as assayer	\$12
For a license for building, loans, discount and investment institutions, when outside capital is employed.....	50
For a license for baggage wagons.....	10
For a license for bill-posters.....	25
For a license for butchers or slaughterers.....	25
For a license for coal yards, to run 5 wagons or less.....	50
For a license for coal yards, to run over 5 wagons and under 10 wagons	100
For a license for coal yards, to run over 10 wagons.....	200
For a license for sleight-of-hand or other trick amusements, per day.....	15
For a license for slack-rope performances, per day.....	10
For a license for apparatus, per day.....	2
For a license for machines, per day.....	2
For a license for freaks of nature, per day	2
For a license for learned or skilled animals, per day....	2
For a license for natural curiosities, per day.....	2
For a license for any other exhibition whatsoever, for the trial or test of skill, not herein specified, per day...	2
For a license for a circus or equestrian exhibition or circus and menagerie, for each performance, not less than \$50 nor more than.....	200
At the discretion of the city council.	
For a license for a traveling menagerie, for each exhibition.....	50

For a license for a theater, concert hall or other place of amusement not otherwise provided for in this chapter, having a seating capacity of 1,000 persons or more, \$200 per annum or \$5 for each performance; where the seating capacity thereof is less than for 1,000 and more than 500 persons, \$100 per annum or \$2.50 for each performance, and where the seating capacity thereof is less than for 500 persons, \$50 per annum or \$1.25 for each performance.

For a license for a concert, ball, lecture, trick or ledgerdemean, or any other exhibition, show or amusement not herein otherwise provided for, where the seating capacity of the building or other place in which the same is held or performed is greater than for 1,000 persons, \$5 for each performance or exhibition; where the seating capacity thereof is less than for 1,000 and more than 500 persons, \$2.50 for each performance or exhibition; and where the seating capacity thereof is for less than 500 persons, \$1.25 for each performance or exhibition.

And the right is reserved and the mayor may refuse a license for any of the above exhibitions.

For a license to sell or otherwise dispose of tickets of admission to any theater, concert, circus, or other place of amusement, by any person other than the proprietor or manager thereof or his duly authorized agent, \$100.

For a license to sell fresh meat, sales less than \$500 per month.....	\$ 25
For a license to sell fresh meat, sales over \$500 and less than \$1,000 per month.....	40
For a license to sell fresh meat, sales over \$1,000 and less than \$2,500 per month.....	60
For a license to sell fresh meat, sales over \$2,500 and less than \$5,000 per month.....	75
For a license to sell fresh meat, sales over \$5,000 per month.....	125
For a license for a feed and boarding stable.....	30
For a license for intelligence or employment office.....	100
For a license for ice wagons, each.....	10
For a license for lodging rooms, exclusively without board, forty rooms and over.....	50

For a license for lodging rooms, exclusively without board, less than forty rooms and over twenty-five....	\$ 25
For a license for lodging rooms, exclusively without board, less than twenty-five rooms and over ten.....	12
For a license for ore samplers or crushers or smelters, yearly.....	25
For a license for oil company for storing oil, yearly.....	50
For a license for oil and (or) gasoline wagons, each, yearly.....	15
For a license for photographers, yearly.....	25
For a license for public weighers (bond \$500), yearly...	12
For a license for real estate agents, yearly.....	25
For a license for solicitors of crayon, oil or other art productions, and enlargers of portraits or pictures, yearly.....	25
For a license for telephone and telegraph companies, each, yearly.....	100
For a license for railroad ticket peddlers, yearly.....	150
For a license for contracting electricians (bond \$1,000), each, yearly.....	25
For a license for a shooting gallery, yearly.....	50
For a license as insurance agent, for each company represented, yearly.....	25
For a license as sewing machine agent, for each company represented, yearly.....	25
For a license as express company, yearly.....	100
For a license as hotel runner, yearly.....	50

Every hotel runner, while engaged in his employment, shall wear an appropriate badge, with the name of the hotel represented by him inscribed thereon.

For a license for a skating rink, yearly..... \$100

[June 14, 1887; February 14, 1888; January 8, 1889; November 24, 1891.]

Passenger and Other Vehicles.

SEC. 33. Every hackman, drayman, carter, porter, omnibus driver, cabman, packer and carman, plying his vocation upon the

streets of Salt Lake City, shall be licensed and pay therefor, annually, in advance, as follows:

First—Upon a license to run an omnibus.....	\$ 25
Second—Upon a license to run a carriage, express wagon, cab, coach, hack or other passenger vehicle drawn by two or more horses.....	20
Third—Upon a license to run a buggy, cab, express wagon or other passenger vehicle drawn by one horse	15
Fourth—Upon a license to run a dray, truck, wagon or other such vehicle drawn by two or more horses....	12
Fifth—Upon a license to run a dray, truck, wagon or other such vehicle drawn by one horse.....	9
[February 14, 1888.]	

Drays, etc., to Be Numbered.

SEC. 34. All drays, trucks, express and job wagons, licensed as hereinbefore provided, shall be numbered with plain figures, painted on metallic plates, not less than three inches long and two inches wide, which shall always be kept conspicuously in view; said numbers shall be furnished with the license by the city recorder.

[February 14, 1888.]

Pawnbrokers Defined.

SEC. 35. Any person within the city of Salt Lake who loans money on deposit of personal property, or deals in the purchase or possession of personal property on condition of selling the same back again to the pledgee or depositor, or who loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property into his possession, is hereby declared to be a pawnbroker.

[March 10, 1891.]

Pawnbroker Must Obtain License.

SEC. 36. No person shall, within the city of Salt Lake, carry on the business of pawnbroker, or loan money on deposit of personal property, or deal in the purchase or possession of personal property on condition of selling the same back again

to the pledgee or depositor, or loan or advance money on personal property by taking chattel mortgage security thereon, and take or receive such personal property into his possession, without previously having obtained a license so to do under the provisions of this chapter.

[March 10, 1891.]

Pawnbroker Must Have Good Character.

SEC. 37. All persons, before receiving a license as pawnbrokers, shall produce to the mayor or city council satisfactory evidence of their good character to engage in or carry on such business.

[January 9, 1871; March 10, 1891.]

Pawnbroker's License, What It Shall State.

SEC. 38. The license provided for in section 36 of this chapter shall state the name of the person or persons to whom issued, the place of business and street number where issued for, and shall be a valid existing license only for the place of business in such license described, and such license shall not be assignable or transferable except by permission of the city council.

[March 10, 1891.]

Pawnbrokers' Bond—Amount of License.

SEC. 39. Every person or firm of persons receiving a license as pawnbroker, within the corporate limits of Salt Lake City, shall, before receiving such license, pay into the city treasury a license tax of one hundred dollars per annum—(no such license to be issued for a less period than six months)—and shall before receiving such license enter into a joint and several bond, with at least two sufficient sureties, the same to be approved by the city recorder of Salt Lake City, in the penal sum of one thousand dollars, conditioned for the faithful observance of all ordinances passed by the city council, in force respecting pawnbrokers at any time during the continuance of such license, and shall keep posted up in his place of business a copy of all ordinances relating to pawnbrokers.

[January 9, 1871; February 14, 1888; March 10, 1891.]

Pawnbroker's License, How Assigned.

SEC. 40. License issued under the provisions of this ordinance may be assigned or transferred upon request or application first having been made to the city council and granted, and upon payment into the city treasury the sum of five dollars, and upon the execution of a new bond by the person to whom such license is or may be transferred or assigned. And the city recorder shall keep a full and complete record of such assignments or transfers as of the first issuance and renewal of such licenses.

[March 10, 1891.]

Pawnbroker Shall Keep a Descriptive Book.

SEC. 41. Every pawnbroker or person or firm licensed under the provisions of this ordinance shall keep a book in which shall be fairly written in the English language, at the time of each loan or receipt of personal property, an accurate account and description of the goods, articles or thing pawned or received, the amount of money loaned or advanced thereon, the time, both day and hour, of pawning or receiving such goods, article or thing, and the name and residence of the person pawning or delivering the said goods, article or thing, and no entry made in said book shall be erased, obliterated or defaced, and the said book, as well as every article or thing pawned, pledged or deposited shall at all reasonable times be open to the inspection of the city marshal, captain of police or any police officer of the said city of Salt Lake.

[January 9, 1871; February 14, 1888; March 10, 1891.]

Pawnbroker's Report to Chief of Police.

SEC. 42. It shall be the duty of every person licensed under the provisions of this ordinance to make out and deliver to the chief of police of said city, once each week, a legible and accurate copy from the book required in section 41 of this chapter, and a description of all personal property, goods, articles or things received on deposit, together with the time when received, pawned, deposited or purchased, and the name and residence of the person pawning, depositing or selling the same.

[March 10, 1891.]

Pawnbroker Not to Deal With Certain Persons.

SEC. 43. No pawnbroker shall receive any goods, article or thing in pawn or pledge of a person who is intoxicated or known to be an habitual drunkard, a thief or an insane person, or who shall be known to such pawnbroker to be under the age of twenty-one years. Nor shall such pawnbroker employ any clerk or person under the age of sixteen years to take any pledge, nor shall he receive any goods by way of pawn or pledge before the hour of seven o'clock in the morning or after nine o'clock in the evening or on Sunday.

[January 9, 1871; February 14, 1888; March 10, 1891.]

Pawnbroker—Penalty for Violation.

SEC. 44. Any person or persons licensed as a pawnbroker under the provisions of this chapter, who shall fail to comply with or violate any provisions thereof, shall, upon conviction, be fined any sum not less than twenty dollars nor more than two hundred dollars for each and every offense, and upon the second or any subsequent conviction of any person or persons licensed under this chapter as a pawnbroker, the council may revoke such license, and it shall thereafter be unlawful to issue to any such person or persons a license under the provisions of this chapter without first having obtained the permission of the city council so to do.

[March 19, 1891.]

Peddlers and Hawkers.

SEC. 45. It shall not be lawful for any person or persons to carry on the business of peddling or hawking, or to offer for sale, barter or exchange at retail, any garden or farm product, fruits, butter, eggs, poultry, fish, game, medicine or other goods, wares or merchandise, in, upon or along the streets of this city, without first obtaining a license therefor; *Provided, however,* that it shall be unlawful, under any circumstances, for any person or persons to carry on the business of peddling or hawking, or to offer for sale, barter or exchange at retail, any garden or farm produce, fruit, butter, eggs, poultry, fish, game, medicine or other goods, wares or merchandise, in, upon or along any of

the following streets, to-wit: South Temple street from State to West Temple streets, First South street from State to West Temple streets, Second South street from State to West Temple streets, Third South street from State to West Temple streets, State street from North Temple to Third South streets, East Temple street from North Temple to Third South streets, West Temple street from North Temple to Third South streets. And no license shall be granted to peddle or hawk in, upon or along such streets.

[October 20, 1885; November 16, 1892.]

Peddlers' License.

SEC. 46. Licenses for peddling or hawking as above described may be issued for the term of one year on payment, in advance, of the following sums:

For a license to peddle fruit..... \$10 00

For a license to peddle vegetables, fruit and garden produce, butter, eggs, poultry fish, and game..... 50 00

Provided, That nothing herein shall be deemed to apply to persons offering for sale butter and eggs, fruit or vegetables raised or produced by themselves.

For a license to peddle merchandise and other property, medicine excepted.....\$100 00

For a license to peddle merchandise or other property of home manufacture or production..... 12 00

For a license to peddle any bakers' product 15 00

For a license to peddle or hawk medicine 400 00

[October 20, 1885; February 14, 1888; November 24, 1891.]

Peddlers' Carts to Be Numbered.

SEC. 47. Any person licensed as aforesaid, using a wagon, cart or other vehicle in the business of peddling or hawking, shall have every such wagon, cart or other vehicle conspicuously and permanently marked with the words "Licensed Vendor," and numbered with plain figures, painted on metallic plates; said numbers shall be furnished with the license by the city recorder.

[October 20, 1885.]

Plumbers to Obtain License.

SEC. 48. No plumber shall lay any service pipe or do any kind of plumbing work connected or to be connected with the Salt Lake City waterworks, unless he is licensed and gives bonds as hereinafter provided.

[February 20, 1877.]

Plumbers—Amount of License—Bond.

SEC. 49. - Application for a plumber's license shall be made in writing to the mayor, and, upon payment to the city treasurer of a yearly license fee of ten dollars, and giving a bond with approved security, to the acceptance of the mayor, in the penal sum of one thousand dollars, conditioned for the faithful observance of the ordinances, rules and regulations relating to the Salt Lake City waterworks, the mayor is authorized to license such applicant, which license shall be issued and registered in the same manner as other licenses.

[February 20, 1877 ; November 24, 1891.]

Plumber Must Have Permit.

SEC. 50. No plumber shall make an extension of any pipe or water fixture, attached to the water supply, for the purpose of conducting water to any part of the same building, or adjoining premises, for any purpose whatever, without first obtaining a permit therefor from the superintendent of waterworks ; and plumbers, upon completing any plumbing work connected, or to be connected, with the waterworks, shall, within twenty-four hours, report the same to said superintendent.

[February 20, 1877.]

Plumbers - Kind of Fixtures to Use.

SEC. 51. No stop or draw cocks shall be used in connection with the waterworks except the kind known as compression cocks. Slide valves may be used to fill railroad or other tanks when a waste is not wanted, and where the pipes are thoroughly protected from frost, also for hose connections, or where a separate waste is used. No other than regulation curb boxes and curb and cellar cocks, samples of which shall be kept in the

superintendent's office, shall be used in connection with the waterworks. The size of all service pipe shall be determined by the superintendent of waterworks, when the application for water is filed, but no service pipe shall be larger than that extending from the main to the curb. All pipes inside of buildings must be of galvanized iron.

[February 20, 1877; February 14, 1888.]

Plumber—Penalty for Violation.

SEC. 52. Any licensed plumber who shall violate any of the provisions of sections 50 and 51 of this chapter shall, in addition to the penalty prescribed in section 9 of this chapter, forfeit his license, which shall not be renewed for a term of three months.

[February 20, 1877; February 14, 1888.]

Restaurant Keeper—License—No Liquors.

SEC. 53. Whoever shall keep any house or place for furnishing meals without lodging, within this city, is declared to be a restaurant keeper. Every restaurant keeper shall make a statement of the greatest number of persons he can furnish with meals at one time, which statement shall be sworn to, before the city treasurer or city recorder, by the restaurant keeper or his duly authorized agent. The city recorder shall file all such statements, and yearly licenses may be issued thereon as follows, viz.:

For all restaurants able to accommodate thirty or more guests at one time	\$75
For all restaurants unable to accommodate thirty guests at one time, and over twenty	40
For all restaurants able to accommodate over ten guests, and less than twenty	20
For all restaurants able to accommodate ten guests.....	10

Provided, that no tavern keeper, hotel keeper, boarding-house keeper or restaurant keeper's license shall in any manner authorize the sale of spirituous, vinous, malt or ardent liquors.

[February 14, 1888; November 24, 1891.]

Second Hand Dealers Defined.

SEC. 54. Any person who shall keep a store, office, or place of business for the purchase or sale of second hand clothing, or garments of any kind, or second hand goods, wares or merchandise, or engage in the business of dealing in second hand goods, is hereby defined to be a second hand dealer.

[January 18, 1887.]

Second Hand Dealer—Amount of License.

SEC. 55. Every second hand dealer, before commencing or carrying on business as such, shall obtain a license and pay therefor at the rate of twenty-five dollars yearly.

[November 24, 1891.]

Second Hand Dealers and Minors.

SEC. 56. No second hand dealer shall, by himself, his agent or servants, purchase or receive any personal property of or from any minor under the age of sixteen years.

[January 18, 1887.]

Second Hand Dealer's Books.

SEC. 57. Every second hand dealer shall keep a book in which he shall enter at the time of purchase, in the English language:

First—A true and accurate description of every article purchased by him.

Second—The name, age and residence of the vendor.

Third—The amount paid.

Fourth—The date and hour of purchase.

The entries shall be made with ink in a legible manner. Such book shall always be open to the inspection of any regular police officer of said city.

[January 18, 1887.]

Sewer Pipes—License to Lay.

SEC. 58. Any competent mechanic, of at least twenty-one years of age, having a permanently established place of business, with experience in laying drain or sewer pipes, upon ap-

plication to the mayor, may, upon approval of his application and the payment to the city treasurer of ten dollars for the year, or unexpired part thereof, ending in all cases December 31, receive a license to lay private drain or sewer pipes, and make connections with the public sewers; *Provided*, no applications for license under this ordinance shall be considered unless accompanied by a bond in the sum of one thousand dollars, with two or more good and sufficient sureties, who shall each justify that they are worth one thousand dollars over and above all debts, liabilities and exemptions, subject to the approval of the mayor, to secure the city and the public against damages that may arise by reason of the carelessness or negligence of such person or persons to properly execute or protect their work, or for any penalties that may be imposed under the provisions of any of the ordinances of Salt Lake City. When two or more persons are copartners, license shall be issued in the name of the firm or copartnership, and no license shall be transferable.

[June 17, 1890.]

Sunday Evening Sacred Musical Concerts.

SEC. 59. It shall be lawful for any person of reputable moral character, in connection with other persons of like moral character, to give Sunday evening sacred musical concerts, either vocal or instrumental, or both vocal and instrumental, in this city, and to charge an admission fee therefor sufficient to pay the expenses of same, first having obtained a license therefor from the city council, and paying for such license into the city treasury the sum of five dollars for each concert given. The city council shall have power to revoke any license granted as provided in this section, at any time.

[April 22, 1890.]

CHAPTER XXIII.

LOCAL ASSESSMENTS.

City Council to Determine.

SECTION 1. Whenever the city council shall deem it expedient to establish and bring to grade any of the streets, avenues, alleys, sidewalks or other public places within the limits of said city, or to pave, repair or otherwise improve any of the streets, highways, sidewalks, or other public places, or grade, widen, open or extend the same; or to construct any sewer or sewers, drains, waterworks, or lay any pipes or mains for water, gas or sewers, the same or any part thereof may be done in the following manner: The council shall determine the character, quality, extent and location of such improvement, and cause an estimate to be made of the cost thereof, determine and define the boundaries of the district or division of the city specially to be benefited, or affected by the same. But in case the improvement is of a street or sidewalk, or consists in laying water or gas pipes, the council shall include in such district only lots or pieces of ground adjacent to, or abutting upon, the street or sidewalk so to be improved. The council shall also determine whether the whole, or if not, what proportion of the cost of such improvement shall be defrayed by local assessment: *Provided*, that in every case one-half the expense of bringing streets, alleys or sidewalks to the established grade shall be paid out of the street or contingent funds.

The council shall set a time when it will meet and hear and consider objections or protests to the making of such improvement, or the defraying of the expense of the same by local assessment. The final action of the council in respect to matters mentioned in this section shall be entered and preserved in the city records.

[June 12, 1888.]

Notice of Intention to Be Published.

SEC. 2. The city council shall next cause a notice of its intention to make the improvement and defray the expenses thereof in whole or in part by local assessment, describing the proposed improvement, the boundaries of the district to be affected or benefited by the same, the estimated cost thereof, and designating the time set for the hearing, mentioned in the last section, to be published at least twenty days in a newspaper published and having a general circulation within the city; which notice shall be substantially in the following form:

"Notice is hereby given by the city council of Salt Lake City, of the intention of such council to make the following described improvement, to-wit:..... and defray (the whole or.....) of the cost thereof, estimated at..... dollars, by a local assessment upon the lots or pieces of ground within the following described district, being the district to be affected or benefited by said improvement, namely:.....

..... All protest and objections to the carrying out of such intention must be presented in writing to the city recorder on or before the.....day of.....188.., being the time set by said council when it will hear and consider such objections as may be made thereto.

By order of the city council of Salt Lake City.

[June 12, 1888.]

.....
City Recorder.

To Apportion and Assess Cost.

SEC. 3. After the expiration of the twenty days, and on the day designated in the notice, the city council shall meet, and if written objections to the making of the improvement, signed by the owners of one-half in value of the property so to be affected or benefited, as shown by the last preceding assessment roll, be not filed with the recorder, shall hear and consider such objections or protests, if any, as shall have been made. If the council determines to proceed with the improvement, it shall make an order, which shall be entered on record in the minutes

of its proceedings, authorizing and directing the work to be done and improvement made, under the supervision of the proper officer or person to be named in the order; and shall thereupon, sitting as a board of equalization, apportion and assess the cost of the improvement, or the part thereof, as specified in the notice, upon the real estate, lots or pieces of ground embraced within the district; such apportionment to be in accordance with the square foot, front foot, or otherwise, as such board shall estimate the special benefits to such property by reason of the improvement and determine to be just.

[June 12, 1888.]

An Order Levying the Tax.

SEC. 4. The council shall thereupon make an order to be entered of record levying the tax and for the assessment of the property in accordance with the apportionment and determination of the board of equalization, which apportionment shall be fully set forth in such order. The order shall also designate the boundaries of the district embracing the property taxed.

[June 12, 1888.]

Duty of City Assessor and Collector.

SEC. 5. A copy of the order, certified by the recorder, under the corporate seal of the city, shall be delivered to the city assessor and collector, who shall immediately proceed to list and assess the property according to the apportionment set forth in said order, stating the name of the owner, or if unknown, then so stating the number and dimensions of each lot or piece of ground, and the amount of tax levied thereon. He shall also make a plat to accompany said list, showing the location of the improvement and the position of the respective lots or pieces of ground assessed with reference to the same, and shall return and lodge said list and plat, when completed, with the recorder, within ten days after the receipt of said order or such further time as the council may allow, where the same shall remain and be open to inspection by all persons interested for a period of ten days.

[June 12, 1888.]

Recorder to Publish Notice.

SEC. 6. Immediately upon the return of such list and plat to him, the recorder shall publish a notice to that effect, describing the district in respect to which they are made, and that the same will be open to inspection for ten days, during which time written appeals to the council for the correction of the assessment may be filed with the recorder; which notice shall be published not less than five days in some newspaper published and having a general circulation within the city.

[June 12, 1888.]

Confirming Assessment—When Taxes Due.

SEC. 7. At its first regular session after the expiration of the time mentioned in the notice provided for in the last section, the council shall hear and consider any appeals filed within the time mentioned, and make such corrections in the assessment as may be necessary and just. The assessor and collector shall be present at such session and note upon said list such corrections and changes as may be ordered by the council. The consideration of such appeals and said assessment may be continued at other and future sessions of the council in the same manner until the same is completed. When completed the council shall make an order, to be entered of record, confirming the assessment as set forth in the corrected list, a copy of which order, certified by the recorder under the corporate seal of the city, together with such corrected list, shall be delivered to the assessor and collector, and shall constitute his warrant for the collection of said taxes. Such taxes shall be due and payable sixty days after the date of the order confirming the assessment, and any and all such taxes remaining unpaid at the expiration of the said sixty days shall be deemed delinquent.

[June 12, 1888.]

How Assessment Collected.

SEC. 8. Immediately upon the receipt of the corrected list and order confirming the assessment as aforesaid, the assessor and collector shall proceed to collect the assessment in like manner as other city taxes, and shall furnish to each tax-

payer, or leave at his usual place of business (if known), a notice of the amount of tax assessed against him, and where and when payable.

[June 12, 1888.]

Money Collected—What to Be Credited.

SEC. 9. The assessor and collector shall pay over to the city treasurer all moneys collected by him at the end of each month, or sooner, if required by the city council, and shall furnish a list of the tax-payers of water main extensions, showing the amount paid by each to the city auditor, who shall thereupon cause each person whose name appears in said list to be credited with the amount of tax paid by him, which shall apply on his water rates.

[September 24, 1889.]

CHAPTER XXIV.

MARSHAL.

Powers and Duties Defined.

SECTION 1. The marshal shall, by himself or deputies, attend all regular and special meetings of the city council; shall have charge of the city hall, and see that the same is lighted and warmed when necessary; act as doorkeeper or sergeant-at-arms; execute all orders of the mayor or council; preserve the peace and good order of the city; quell all riots; arrest and bring all disorderly persons before the police justice for trial, either with or without process; serve all processes issued by the police justice to him directed, and see that all orders and judgments of said court are carried into effect; and shall take such measures as shall secure the peace and good order of all public meetings. Said marshal may at any time call upon the chief of police, or in the absence of the chief, upon any policeman, which officers are hereby required to assist the marshal in maintaining the peace and good order of the city.

[February 22, 1851; January 4, 1859; February 14, 1888.]

CHAPTER XXV.

MAYOR.

His Oath and Duties.

SECTION 1. The mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and he shall, from time to time, give the city council such information, and recommend such measures, as he may deem advantageous to the city.

[February 14, 1888.]

Shall Sign Licenses, Deeds, etc.

SEC. 2. The mayor shall sign all licenses, except liquor licenses. In all cases where bonds for liquor licenses are not approved by the mayor, the same shall be referred back to the council for their final action. The mayor is authorized and empowered to sign his name officially for and in behalf of the city, and to sign deeds, bonds, bills, notes, obligations and other agreements, documents and papers, to which the city is a party, when so directed by the city council.

[March 24, 1871; February 14, 1888.]

May Offer Reward.

SEC. 3. The mayor may, when necessary, offer a reward for the apprehension of offenders against the ordinances of the city, in any sum not exceeding two hundred dollars.

[February 14, 1888.]

Shall Superintend Public Works.

SEC. 4. The mayor shall be superintendent of public works and grounds, and as the highest executive officer of the

city, shall exercise a general supervision over each department, under whose special chief or superintendent such public works shall be carried on.

[February 14, 1888.]

May Remit Fines and Grant Pardons.

SEC. 5. The mayor is authorized and empowered to grant full pardons for violations of the ordinances of said city, or to remit so much of any fine or penalty as belongs to the city, together with costs of prosecution, when to him it shall seem just and reasonable.

[May 8, 1860; February 14, 1888.]

Shall Report Quarterly.

SEC. 6. It shall be the duty of the mayor to report quarterly to the city council the number of fines remitted and pardons granted.

[May 8, 1860; February 14, 1888.]

CHAPTER XXVI.

MISDEMEANORS.

Abusive Language.

SECTION 1. If any person shall abuse another by using menacing, insulting, slanderous or profane language in said city, he shall be liable to a fine in any sum not exceeding fifty dollars, or to imprisonment not exceeding thirty days, or to both fine and imprisonment.

[May 17, 1872.]

Animals Cruelty to.

SEC. 2. Any person who shall torture or cruelly beat or ill treat any horse, ox or other animal within the limits of said city, whether belonging to himself or any other person, shall be

liable to a fine in any sum not exceeding fifty dollars, or imprisonment not exceeding three months, or to both fine and imprisonment.

[May 17, 1872.]

Animals—Killing, Maiming or Poisoning.

SEC. 3. Any person who shall willfully kill, maim or disfigure any horse or other domestic animal, the property of another, or administer poison to any such animal, or expose any poisonous substance with the intent that it shall be taken by any such animal, shall be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment for a term not exceeding three months, or to both fine and imprisonment.

[July 31, 1877 ; February 14, 1886.]

Animals—Driving Sheep Through Streets.

SEC. 4. Every person who drives any herd of sheep, consisting of fifty or more, over or upon any of the public streets of this city, except by the permission and according to the direction of the city marshal first had and obtained, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars.

[February 14, 1888.]

Animals—Cows and Swine.

SEC. 5. It shall be unlawful for any person or persons to keep or cause to be kept more than two (2) cows or any pig, hog or swine within that portion of Salt Lake City bounded as follows : On the north by Seventh North street, on the south by Ninth South street, on the east by the Reservation, on the west by Eighth West street. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, or by both such fine and imprisonment. This section not to apply to the keeping of animals in the public pound of the city.

[August 26, 1890 ; September 9, 1890.]

Assault and Battery.

SEC. 6. Any person who shall commit an assault or battery within the limits of the city shall, upon conviction, be fined in any sum not to exceed one hundred dollars, or be imprisoned for a period not to exceed one hundred days, or both.

[March 16, 1860; July 13, 1886; February 14, 1888.]

Barbed Wire Fences.

SEC. 7. It shall be unlawful for any person to hereafter erect, or cause to be erected, or to maintain any barbed wire fence along or adjacent to any street within the limits of Salt Lake City; and any person so erecting, causing to be erected, or maintaining any such fence, shall be deemed guilty of committing a nuisance, and, on conviction thereof, shall be fined in any sum not exceeding fifty dollars.

[February 14, 1888.]

Bathing in City Limits.

SEC. 8. No person shall swim or bathe in any of the waters within the limits of Salt Lake City, except in public or private bath houses, unless covered with a bathing suit so as to prevent any indecent exposure of person, under a penalty of not to exceed twenty-five dollars for each offense.

[February 14, 1888.]

Bicycles—Must Have Gong and Light.

SEC. 9. Any person who shall, in the city of Salt Lake, ride or use a bicycle, tricycle, velocipede or other riding machine or apparatus, in any of the streets, avenues or other highways thereof, without having in connection therewith at all times a gong of sufficient sound to warn persons of its approach, and using the same in warning persons of its approach; and also, whenever such bicycle, tricycle, velocipede or other riding machine or apparatus is used on any of the streets, avenues or highways of the city, between sunset and sunrise, without a lighted lantern, which shall be so conspicuously placed thereon as to warn persons of its approach, shall, on conviction, be fined not more than one hundred dollars for each and every offense.

[February 14, 1888.]

Bicycles on Certain Sidewalks Prohibited.

SEC. 10. Any person who shall, in Salt Lake City, ride or use a bicycle or tricycle upon any of the sidewalks of East Temple street from South Temple to Third South street, of South Temple street from West Temple street to First East street, of First South street from West Temple street to First East street, of Second South street from West Temple street to First East street, of Third South street from West Temple street to First East street, of West Temple street from South Temple street to Third South street, of First East street from South Temple street to Third South street, and of Commercial street, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than five dollars nor more than twenty-five dollars for each and every offense.

[November 18, 1890.]

Bonfires Prohibited on Asphalt Pavements.

SEC. 11. It shall be unlawful for any person or persons to build, maintain, or to assist in building or maintaining, any bonfire or any fire upon any of the streets within the corporate limits of Salt Lake City, paved with asphalt or other material of a similar nature. Any person violating any of the provisions of this section shall, on conviction, be fined in any sum less than fifty dollars.

Coasting Prohibited—Mayor's Proclamation.

SEC. 12. It shall be unlawful for any boy or boys, person or persons, to coast or slide down hill with any sled, sleigh, toboggan or vehicle, upon any public street, sidewalk or alley of Salt Lake City. Any boy or other person violating this section shall, upon conviction, be fined not exceeding twenty dollars.

The mayor, by public notice or proclamation, may authorize the use of any street or streets, avenue or avenues, for coasting for the winter season. During the time for which such notice or proclamation shall be issued, and during such winter, coasting upon any such streets or avenues shall be permissible and lawful.

Dance House.

SEC. 13. Any person who shall keep a dance house, where lewd or disorderly persons assemble together for dancing, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars for each and every offense.

[February 14, 1888.]

Dangerous and Concealed Weapon.

SEC. 14. Any person who shall carry any slingshot, or any concealed deadly weapon, without the permission of the mayor first had and obtained, shall, upon conviction, be liable to a fine not exceeding fifty dollars.

[February 14, 1888.]

Defacing or Destroying Property.

SEC. 15. Any person who shall willfully injure, deface or destroy any building or fixture thereof, or injure, destroy or secrete any goods, chattels or valuable papers of another, or prepare any deadfall, or dig any pit, or arrange any trap, to injure another's person or property, or take down, injure or remove any monument, street sign, or any tree marked as a boundary of any tract of land or city lot, or destroy, deface or alter the marks of any monument or street sign, or injure or destroy any fence or fountain, or any shade or fruit tree, or any other kind of public or private property, or deface sidewalks with painted or printed handbills or signs, posters or other advertisements, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not to exceed three months, or to both fine and imprisonment.

[March 16, 1860; May 17, 1872; July 31, 1877.]

Discharging Guns.

SEC. 16. Any person discharging guns or pistols within the limits of the city (except in self-defense, or in the case of any civil officer in the discharge of his duty), shall be liable to a fine of not more than ten dollars for every such offense.

[April 27, 1860; February 14, 1888.]

Discharging Firearms.

SEC. 17. Any person discharging firearms within the limits of the city, without a lawful breastwork or battery for the protection of the citizens, shall be liable to a fine of not more than twenty-five dollars for every such offense. A breastwork or battery, for target shooting, to be deemed lawful, shall be a wall eighteen inches thick, six feet wide, and six feet high in the back, with side wings one foot thick, each extending two feet, increasing flaringly to the front, and six feet high, of adobes or mud, or its equivalent of other material.

[April 27, 1860.]

Discharging Air Gun, Flipper, etc.

SEC. 18. Any person discharging an air gun, sparrow gun, flipper, or other similar contrivance, within the limits of this city, shall be liable to a fine of not more than twenty-five dollars for every such offense.

[May 7, 1889.]

Disorderly House.

SEC. 19. Any person who shall keep any ill-governed or disorderly house, or who shall suffer or permit any drunkenness, quarreling, fighting, unlawful games, or riotous or disorderly conduct whatever on his premises, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars for each and every offense.

[February 14, 1888.]

Disturbance of Peace.

SEC. 20. If any person shall commit a disturbance of the peace within the limits of said city, by brawling or noisy acclamations, by tumultuous or offensive language or conduct, by blowing for a longer period than five seconds any kind of steam whistle excepting in case of fire or accident within the limits of said city, or making other noises, he shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

[May 17, 1872; February 14, 1888.]

Disturbance at Election, etc.

SEC. 21. If any person shall excite disturbance or contention at a public house, court, election, or any lawful meeting of citizens within the limits of said city, he shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

[May 17, 1872 ; February 14, 1888.]

Disturbance at Religious Meeting.

SEC. 22. Any person who shall disturb a public assembly, congregated for religious or other lawful purposes, within the limits of said city, by undue noise, or by offensive, unbecoming or indecent behavior, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

[May 17, 1872 ; February 14, 1888.]

Drugs—Unlawful to Sell on Streets.

SEC. 23. It shall be unlawful for any person to sell, barter, give away or offer to dispose of by public outcry or otherwise any drug, medicine or other substance for the cure of any disease or ailment, on any of the streets, alleys or highways within the limits of Salt Lake City. Any persons violating the provisions of this section shall, upon conviction thereof, be fined any sum not exceeding fifty dollars or imprisoned not to exceed thirty days.

[August 22, 1890.]

Drugs to Be Labeled—Poison.

SEC. 24. All persons who prepare or put up drugs or medicines are hereby required to label them in a plain and legible manner, in the English language, and all drugs of a poisonous nature shall be labeled "Poison."

[May 21, 1889.]

Drunkenness.

SEC. 25. Any person found drunk in any street, lane, alley or other public place in said city, shall be liable to a fine not

exceeding fifty dollars for each offense; and any person found drunk elsewhere in said city, on complaint being made to any peace officer, shall be liable to arrest and punishment by fine not exceeding twenty-five dollars.

[May 17, 1872; February 14, 1888.]

Enticing Minors from Guardian, etc.

SEC. 26. Any person who shall use any influence to entice or persuade any minor, male or female, under the age of thirteen years, from his or her parents, guardians, or other person having charge of the same, without the consent of such parents, guardians or other person, shall be liable to a fine of not more than one hundred dollars, or to imprisonment not more than three months, or both.

[May 15, 1860; February 14, 1888.]

Escape of Prisoners.

SEC. 27. Any person convicted of any offense against the ordinances of the city, and in lawful custody therefor, who shall escape from such custody, shall be liable to be punished by fine or imprisonment not exceeding the original punishment.

[February 14, 1888.]

Escape of Prisoners—Abetting and Aiding.

SEC. 28. Any person, within the limits of this city, who shall aid or assist a person to escape from lawful confinement, or who shall aid or assist another to escape from any peace officer of said city, shall, on conviction, be liable to a fine of not less than five nor more than one hundred dollars, or to imprisonment not to exceed three months, or to both fine and imprisonment, for each offense.

[May 17, 1872; February 14, 1888.]

Taking Weapons and Tools to Prisoners.

SEC. 29. Any person who shall take into the city prison, or deliver to any prisoner therein confined, or in custody of any officer of such prison, any weapon, tool, intoxicating drink, or

other article, or attempt so to do, without the consent of the officer in charge, shall, upon conviction, be liable to a fine of not to exceed twenty-five dollars.

[February 14, 1888.]

False Pretenses—Refreshments.

SEC. 30. Any person who shall, within the limits of this city, obtain any goods, chattels or other property under false pretenses, or who shall enter into any public house, shop or place, and call for refreshments or other article or thing and receive the same and depart without paying or satisfying the owner thereof, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

[May 17, 1872 ; February 14, 1888.]

Females in Saloon.

SEC. 31. Every person who employs any female to serve in the selling, giving away or other disposition or delivery of spirituous, vinous or malt liquors in any saloon or place in said city in which such liquors or any of them are so disposed of, or delivered to be drunk on the premises where so sold or otherwise disposed of, shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment, at the discretion of the court ; and every female so employed and serving shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment, at the discretion of the court.

[April 15, 1884 ; February 14, 1888.]

Fighting.

SEC. 32. It shall be unlawful for two or more persons to engage in a fight within the limits of this city ; and the persons guilty thereof shall, upon conviction, each be liable to be fined in any sum not exceeding fifty dollars.

[February 14, 1888.]

Food and Liquor—Selling Unwholesome.

SEC. 33. Any person who shall sell, or expose for sale, any bad beef, pork, mutton or other meat, stale or otherwise impure flour, meal, grain or vegetables ; or adulterated or unwholesome spirituous or malt liquors, or other beverage intended for drinking ; or any other kind of unwholesome provision, preparation, condiment or seasoning for meats or drinks, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment ; and the court having jurisdiction may order such provisions or drinks to be destroyed.

[May 17, 1872 ; February 14, 1888.]

Food—Feeding Swine on Unwholesome.

SEC. 34. All persons owning swine are hereby forbidden to feed the same upon meat, blood or entrails in a putrid or decayed state, or upon other food calculated to engender disease in the flesh of such animals, under a penalty of not less than five nor more than one hundred dollars.

[May 8, 1860.]

Fowls Must Not Trespass.

SEC. 35. It shall be unlawful for the owner of any domestic fowls, such as turkeys, ducks, geese or chickens, to permit such fowls to trespass upon the premises of another person at any time between the first day of March and the thirty-first day of October, and any such owner, for permitting them to so trespass, shall, on conviction, be liable to a fine in any sum not exceeding ten dollars.

[May 8, 1860; March 29, 1881.]

Gambling Houses—Keeping or Renting.

SEC. 36. If any person shall keep a house, shop or any other place resorted to for the purpose of gambling, or permit or suffer any person in any house, shop or other place under his control or care, to play at cards, dice, faro, roulette, keno or any other game for money or other property, or thing representing money, within the limits of said city, such offender, for such

offense, shall be liable to a fine not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment. In a prosecution under this section, any person who has the charge of, or attends to, any such house, shop or place, may be deemed the keeper thereof; and any person renting out a house or place for the purpose of gambling shall be liable to the penalties prescribed in this section.

[May 17, 1872; February 14, 1888.]

Gambling.

SEC. 37. Every person who shall play at any game for money or other property, or thing representing money or other property, within the limits of said city, shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment, at the discretion of the court.

[September 2, 1884; February 14, 1888.]

Interfering With Officer.

SEC. 38. Any person who shall interfere with, resist, molest, or threaten to molest, any officer of said city in the exercise of his official duties, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not more than three months, or to both fine and imprisonment.

[February 14, 1888.]

Lottery or Gift Enterprise.

SEC. 39. It shall be unlawful for any person, within this city, to conduct, manage or sell tickets for a lottery or gift enterprise, or be guilty of or engage in any kind of fraudulent device or practice, for the purpose of selling or disposing of merchandise or goods of any description, with or without tickets numbered or marked for that purpose. Any person violating any of the provisions of this section shall, on conviction, be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

[February 14, 1888.]

Obscene Literature or Conduct.

SEC. 40. No person shall:

First—Offer for sale, sell, exhibit, pass, give or deliver to another, any obscene, lewd or indecent book, pamphlet, picture, card, print, paper, writing, mould, cast or figure, or have the same in his possession, unless it is shown that the possession is innocent or for a lawful purpose.

Second—Circulate or distribute, or cause to be circulated or distributed, any pamphlets, books or circulars treating of or illustrating any of the diseases of the sexual organs.

Third—Appear in a public place naked, or in an indecent or lewd dress.

Fourth—Make any indecent or obscene exposure of his or her person, or urinate or stool in any place open to public view.

Fifth—Indecently exhibit any horse, bull or other animal.

Sixth—Be guilty of prostitution or any lewd, lascivious or other open obscene or indecent conduct.

Seventh—Utter or speak any obscene or lewd language.

Eighth—Exhibit or perform any indecent, immoral or lewd play or other representation.

Any person who shall violate any of the provisions of this section shall, upon conviction, be liable to a fine in any sum not to exceed one hundred dollars, or to imprisonment not to exceed three months, or to both such fine and imprisonment.

[May 17, 1872; February 14, 1888.]

Opium Dens.

SEC. 41. No person shall, within the limits of this city, keep or maintain, or become an inmate of, or visit, or in any way contribute to the support of any place, house or room where opium is smoked, or where persons assemble for the purpose of smoking opium, or inhaling the fumes of opium, or where opium is sold for such purposes. Any person violating any of the provisions of this section shall be liable, for each and every offense, to punishment by fine in any sum not exceeding one hundred dollars, or by imprisonment for a period of not more than three months, or both such fine and imprisonment.

[April 22, 1879; February 14, 1888.]

Personating an Officer.

SEC. 42. Any person who shall falsely represent himself to be an officer of Salt Lake City, or attempt to personate one, or who, without authority, shall perform any official act for or in behalf of any such officer, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

[July 31, 1877; February 14, 1888.]

Petit Larceny.

SEC. 43. If any person shall be guilty of petit larceny within the limits of said city, he shall, upon conviction thereof, be fined in any sum not to exceed one hundred dollars, or be imprisoned in the city jail for a period of not to exceed one hundred days, or both.

[July 13, 1886; February 14, 1888.]

Posting Bills Without Permission.

SEC. 44. Any person who shall print, paint, write, mark or in any way post up any notice, card, advertisement or other device upon any wall, fence, tree, post, building or other property, or cause the same to be done, without the permission of the owner or agent thereof, within the limits of said city, shall be liable to a fine not exceeding fifty dollars.

[May 17, 1872; February 14, 1888.]

Posted Ordinances, Advertisements, etc.

SEC. 45. Any person who shall, without authority, tear down or deface any ordinance, bill, notice, advertisement, or any other paper of a business or legitimate character, lawfully posted up within the limits of said city, within thirty days from the date of such paper, shall be liable to a fine not exceeding fifty dollars, or to imprisonment not exceeding twenty days for every such offense.

[May 17, 1872.]

Profanity.

SEC. 46. Any person profaning the name of the Deity within the limits of said city shall be liable to a fine not ex-

ceeding ten dollars, or to imprisonment not exceeding five days, or to both fine and imprisonment.

[February 22, 1856 ; February 14, 1888.]

Prostitutes—Advertising Vocation.

SEC. 47. Whoever pursues, or advertises, in any manner, her vocation as a prostitute, or is guilty of prostitution, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding three months, or by both such fine and imprisonment.

[February 14, 1888.]

Prostitution—Keeping or Renting House for.

SEC. 48. Any person in this city :

First—Who either keeps a house of ill-fame resorted to for the purpose of prostitution or lewdness ; or willfully resides in such house ; or resorts thereto for lewdness ;

Second—Who is the owner of any building or tenement, the whole or any part of which is used for any of the purposes mentioned in the first subdivision of this section ; or has control of such building or tenement as agent, guardian or lessee of such owner, or as the agent of such guardian or lessee, and after notice of such improper use of such building or tenement shall fail to suppress the same by removing therefrom the occupants thereof ; or,

Third—Who lets any building or tenement, knowing that the lessee intends using the same, or any part thereof, for any of the purposes mentioned in the first subdivision of this section ; or harbors or keeps about his or her private premises any whoremaster, strumpet or whore, knowing the same to be guilty of following a lewd course of life therein ;

Shall be liable, for such offense, to a fine in any sum not exceeding one hundred dollars, or to imprisonment for any term not exceeding three months, or to both such fine and imprisonment.

[December 18, 1877 ; February 14, 1888.]

Prostitution—Defense of Landlord.

SEC. 49. In prosecutions under the second subdivision of section 48 of this chapter, it shall be a sufficient defense if the

defendant shows at the trial that he has diligently used the power which the law gives him to suppress the improper use of the building or tenement concerning which the charge is made.

[December 18, 1877.]

Reckless Driving.

SEC. 50. Any person who shall, by riding or driving immoderately or recklessly, run any horse, mule or other animal, in any of the streets of this city, shall be liable to a fine in any sum not exceeding fifty dollars.

[February 14, 1888.]

Regulating Speed of Vehicles.

SEC. 51. It shall be unlawful for any person or persons, when passing over any of the cross or sidewalks between the north side of South Temple street and the south side of Third South street, on State, East Temple and West Temple streets, and between the east side of State street and the west side of West Temple street, on South Temple, First South, Second South and Third South streets, to drive any single or other team, except the fire department and police patrol, and they in going and not returning, at a greater speed than a moderate walk.

[November 22, 1892.]

Regulating Running of Street Cars.

SEC. 52. It shall be unlawful for any street car company, or person in charge of, running or operating any car or cars, for any person, company or corporation to run the same over any of the crossings mentioned in section 51 of this chapter, at a greater speed than the speed of a team when going at a moderate walk; and in all cases where there are double tracks or parallel lines at any of the crossings aforesaid, and cars are passing in opposite directions, each of said cars shall come to a stop at all of said crossings; that where one car has halted at any of said crossings, and another car is going in the same or the opposite direction, the car so moving shall be brought to a full stop, before attempting to pass over any such crossing.

Any person, company or corporation violating any of the provisions of this section, or section 51 of this chapter, on conviction, shall be fined in any sum not exceeding one hundred dollars.

[November 22, 1892.]

Riot Defined—Proclamation.

SEC. 53. When three or more persons assemble together, and in a violent and tumultuous manner, commit an unlawful act, or do a lawful act in an unlawful, violent or tumultuous manner, to the disturbance of the peace, within the limits of said city, it shall be deemed a riot, and every such offender shall be liable to imprisonment not exceeding six months, or to a fine not exceeding one hundred dollars, or to both fine and imprisonment; and the mayor or any councilman is hereby authorized to make proclamation among the persons so assembled, or as near to them as he can safely come, charging and commanding them in the name of said city, to immediately disperse and peacefully depart to their habitations or lawful pursuits; and if, upon such proclamation being made, such persons shall not obey the same, said mayor or councilman may command the marshal, the police, and the full power of the city to arrest the offenders, and bring them before any officer having jurisdiction over the offense, to be dealt with according to the provisions of this section.

[May 17, 1872.]

Riot—Assistance in Suppressing.

SEC. 54. Any person neglecting or refusing to give prompt assistance after the making of the aforesaid proclamation, and a call for his services having been made to secure any offenders mentioned in the preceding section, shall be liable to imprisonment not exceeding thirty days or to a fine not exceeding one hundred dollars, or to both fine and imprisonment.

[May 17, 1872.]

Smoke Emitted from Chimneys.

SEC. 55. The proprietor, lessee or occupant, engineer or fireman of any building in which a boiler is or may be used for

generating steam or electricity, who shall permit or allow dense smoke to issue or be emitted from the chimney or chimneys of such building, used in connection with such boiler, within the corporate limits of Salt Lake City, shall be guilty of a misdemeanor, and shall, upon conviction for every such offense, be fined in a sum not less than five dollars nor more than fifty dollars; and each day in which such smoke is so permitted or allowed to issue or be emitted shall constitute a separate offense; *Provided, however*, that the penalty herein provided shall not apply in any case where the fireman, engineer, owner, lessee or occupant has supplied such building with and shall have in use a sufficient device for the consumption or prevention of smoke; *and provided further*, that this ordinance shall be held to apply only to such buildings in which may be used or operated a boiler or boilers which either singly or in batteries are of the capacity of fifty horse power or over.

[September 22, 1891; in effect March 22, 1892.]

Trespass.

SEC. 56. Any person who shall take down any fence, or let down any bars, or open any gate so as to expose any enclosure, or ride, drive or walk across, or lodge, camp or sleep upon, the premises of another, without permission of the owner or occupant thereof, shall be liable to a fine in any sum not exceeding one hundred dollars.

[April 20, 1860; February 14, 1888.]

Vagrancy.

SEC. 57. Every person (except an Indian) without any visible means of living, who has the physical ability to work, and who does not, for the space of five days, seek employment, nor labor when employment is offered him; every healthy beggar who solicits alms as a business; every person who roams about from place to place without any lawful business; every idle or dissolute person, or associate of known thieves, who wanders about the streets at late or unusual hours of the night, or who lodges in any barn, shed, shop, outhouse, vessel, or place other than is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof; every lewd

and dissolute person who lives in and about houses of ill-fame, and every common prostitute and common drunkard, is a vagrant, and punishable by imprisonment not exceeding three months.

[April 27, 1860 ; February 14, 1888.]

CHAPTER XXVII.

NUISANCES.

Slaughter House, Market, Meat Shop.

SECTION 1. If any owner or occupier of any slaughter house, market, meat shop, or other place wherein any swine, beeves, sheep, fowls or other animals are slaughtered, kept or sold, either in said slaughter house or on the premises of said owner or occupier, shall permit the same to remain unclean, to the unnecessary annoyance of the citizens of this city, or any of them, or in any state or condition detrimental to the public health, the same shall be deemed a nuisance.

[April 19, 1887.]

Unclean Drain—Garbage Receptacle.

SEC. 2. If any person causes or permits, within the limits of this city, any unclean, stinking, foul, defective or filthy drain, ditch, tank or gutter, or any leaking or broken slop, garbage or manure box, or receptacle of similar character, to remain on his premises, the same shall be deemed a nuisance.

[April 19, 1887.]

Vegetable Waste.

SEC. 3. All vegetable waste, litter, garbage, filth or refuse of any nature, kind or description which shall be detrimental to

the public health, found in or upon any private alley, yard or area within the limits of this city, except the same is temporarily deposited for removal, shall be deemed a nuisance.

[April 19, 1887.]

Stable Where Manure Accumulates.

SEC. 4. Whenever any stable, stall, shed or apartment, or any yard or appurtenance thereof, in which any horse, cow or swine, or other animal shall be kept, or in any place within the limits of this city in which manure or liquid discharges of such animals shall collect or accumulate, and when such stable, stall, shed or apartment, or any yard or appurtenance thereof, is not kept in a cleanly and wholesome condition, so that no offensive smell shall be allowed to escape therefrom, the same shall be deemed a nuisance; *Provided*, that nothing in this section shall be so construed as to include manure deposits upon any private property for the purpose of cultivating the same, and the same is kept in an innoxious condition.

[April 19, 1887.]

Dirt, Waste, Rags, Casks, Etc.

SEC. 5. Whenever there shall be found in or about any lot or piece of ground within the limits of this city, any dirt gathered in cleaning yards, waste of mills or factories, or any rags, damaged merchandise, wet, broken or leaking barrels, casks or boxes, or any materials which are offensive or tend to decay, to become putrid, or to render the atmosphere impure or unwholesome, the same shall be deemed a nuisance.

[April 19, 1887.]

Bone Crushing, Glue Factory, etc.

SEC. 6. The business or any part thereof, or any or every of them, of bone crushing, bone boiling, fat boiling, gut cleaning, or the making of glue, or the manufacture of fertilizing material from any dead animal, or part thereof, or any boiling of offal, swill, fat or grease, which shall be done or carried on in an offensive, unclean or defective manner in any building, yard or lot of ground within the limits of this city, shall be deemed a nuisance.

[April 19, 1887.]

Soap or Oil Factory, Laundry, etc.

SEC. 7. If any owner or occupier of any soap factory, candle factory, oil factory, glue factory, pork house, slaughter house, lard house or laundry shall permit the same to remain unclean, or conduct his business to the annoyance of the citizens of this city, or any of them, the same shall be deemed a nuisance.

[April 19, 1887.]

Offensive Liquid or Refuse.

SEC. 8. Wherever from any distillery, brewery, tannery, hide house, pork house, laundry, fish house, soap factory, or any yard, dwelling, store or factory, or any yard or enclosure of any kind whatsoever, within the limits of this city, there is placed, conducted or discharged into or on any street, alley, sidewalk, gutter, water ditch or canal, or any vacant lot, any filthy or offensive water, liquid waste, refuse or discharge of any kind which is offensive or liable to become so, the same shall be deemed a nuisance.

[April 19, 1887.]

Brewery, Tannery, Barn, etc.

SEC. 9. Every brewery, distillery, tannery, livery stable or barn, laundry or factory of any kind, place or premises, which is or shall become noisome, foul or offensive, shall be deemed a nuisance.

[April 19, 1887.]

Dead Animals.

SEC. 10. Any horse, cow, ox, dog, cat or other animal that shall die within the limits of this city, and the carcass of which shall not be removed within three hours after the death to the burial ground used by the city for the burial of such dead animals, shall be deemed a nuisance.

[April 19, 1887.]

Unsound Food or Offensive Matter.

SEC. 11. Any putrid or unsound meat, fish, hides or skins of any kind, or filth, offal, dead animals, vegetables, or any un-

sound or offensive matter whatsoever, thrown, placed or conducted into or upon any street, alley or lot, or into any aqueduct, ditch, gutter or canal, shall be deemed a nuisance.

[April 19, 1887.]

Putrid Fat, Waste Paper, Old Clothes.

SEC. 12. Any stale, putrid or noisome fat, grease or other offensive matter, which shall be kept, collected or used in any manner detrimental to the public health, and any wrapping paper, waste paper, hand bills, old clothes, boots, shoes, hats, tin cans, broken dishes, or any combustible material, or any rubbish whatsoever, thrown into or upon any street, alley, sidewalk, gutter, ditch, aqueduct or canal, or vacant lot, shall be deemed a nuisance.

[April 19, 1887.]

Other Things Deemed a Nuisance.

SEC. 13. Every act or thing done or made, permitted, allowed or continued on any property, public or private, by any person or corporation, their agents or servants, detrimental to health, or to the damage or injury of any of the inhabitants of this city, not hereinbefore specified, shall be deemed a nuisance.

[April 19, 1887.]

Police to Report Nuisances.

SEC. 14. It shall be the duty of all police officers to observe the sanitary conditions of this city, and report to the health commissioner promptly any nuisance or accumulated filth, or any condition detrimental to the public health, found in any portion of the city.

[April 19, 1887; May 29, 1890.]

Health Commissioner to Abate.

SEC. 15. Every nuisance hereinbefore mentioned, declared or defined, is hereby prohibited, and in case of neglect or refusal of any person to comply with the provisions of this chapter, after notice in writing has been served as provided by section 18 hereof, it is hereby made the duty of the health commis-

sioners to abate or procure the abatement thereof by filling up, draining, cleaning, purifying or removing the same, as the case may be, and the costs shall be collected from the authors thereof.

[April 19, 1887; May 29, 1890.]

Penalty for Violation.

SEC. 16. Any person or persons who shall be convicted of being the author or keeper of a nuisance, or otherwise guilty of a violation of any provision of this chapter, shall be fined for the first offense not less than ten dollars nor more than one hundred dollars, and for the second offense not less than twenty-five dollars nor more than one hundred dollars, and for the third and all subsequent offenses not less than fifty dollars nor more than one hundred dollars.

[April 19, 1887.]

"Author of Nuisance" Defined.

SEC. 17. Where a nuisance exists upon property, and is the outgrowth of the usual, natural or necessary use of the property, the landlord thereof, or his agent, the tenant, or his agent, and all other persons having control of the property on which such nuisance exists, shall be deemed to be the authors thereof, and shall be equally liable therefor; but where any such nuisance shall arise from the unusual or unnecessary use to which such property may be put, or from business thereon conducted, then the occupants, and all other persons contributing to the continuance of such nuisance, shall be deemed the authors thereof.

[April 19, 1887; November 13, 1888.]

Notice to Abate Nuisance.

SEC. 18. In order to better carry out the provisions of this chapter the health commissioner may serve a notice in writing upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or upon him who may be the cause of such nuisance, requiring him to abate the same in such manner as the health commissioner may direct, and within a reasonable time; and if such owner, occupant or

agent shall neglect or refuse to comply with the requirements of such notice within the time specified, he shall, upon conviction thereof, be fined in any sum not less than ten dollars nor more than one hundred dollars. The failure to give a notice as provided herein shall not relieve the author of any nuisance of the penalties provided in this chapter.

[April 19, 1887; February 14, 1888; May 29, 1890.]

Duty and Power of Health Commissioner.

SEC. 19. It shall be the duty of the health commissioner to ascertain and cause all nuisances declared to be such in this chapter to be abated, and he shall have authority, either by himself or by his agents or deputies, in the day time, to enter any house, stable, store or any building, in order to make a thorough examination of cellars, vaults, sinks or drains; to enter upon all lots and grounds and cause all stagnant waters to be drained off, and pools, sinks, vaults, drains, holes or low grounds to be cleansed, filled up or otherwise purified, and to cause all noisome substances to be abated or removed.

[April 19, 1887; May 29, 1890.]

CHAPTER XXVIII.

PARK COMMISSIONERS.

How Appointed.

SECTION 1. A board of park commissioners, to consist of five citizens, residents and taxpayers of Salt Lake City, is hereby created. Said commissioners shall be appointed by the city council by resolution, and each of the five municipal wards shall be represented on said board. Two of said commissioners shall hold office for one year, two for two years and one for three years, and after the appointment of said five members it shall be the duty of the city council to appoint new or reappoint the old members of said board at the expiration of their term of office. Said commissioners shall be subject to removal at the pleasure of the city council.

Duties of Board.

SEC. 2. The said board shall have charge of Liberty Park and such other public squares (and public grounds) belonging to the city as the city council may hereafter direct. The said board shall have power to establish rules for the management, care and use of public parks and parkways ; and it shall be the duty of said board from time to time to devise and suggest to the city council a system of public parks, parkways and boulevards within the city limits or within three miles of the limits thereof. A majority of all the members of the board of park commissioners shall constitute a quorum. It shall be the duty of said board of park commissioners to lay out, improve and beautify all grounds under their immediate charge and control, and by and with the advice and consent of the council employ a secretary and also such landscape gardeners, keepers, assistants or laborers as may be necessary for the proper care and main-

tenance of such parks. The members of said board, at its first meeting each year, shall elect one of their own members as chairman of said board. Before entering upon their duties each member of said board shall take an oath, to be filed with the city recorder, that he will faithfully perform the duties of his appointment.

Reports.

SEC. 3. The said board shall report quarterly to the council the condition of all parks and public squares in the city, and the improvements which, in their judgment, should be made in any of said parks or public squares, together with the probable cost or expense of making the same.

Salaries.

SEC. 4. The members of said board and the employes thereof shall receive for their services such compensation as may be fixed by the city council.

CHAPTER XXIX.

POLICE.

The Chief—Books to Be Kept.

SECTION 1. The chief of police shall provide and cause to be kept at the police station in the city hall a register of arrests. Upon such register there shall be entered a statement showing the date and hour of such arrests, the name of the person arrested, the name of the officer making the arrest, the offense charged, and a description of any property found upon the person arrested. He shall also provide a slate or book accessible to citizens, wherein notice may be given of the violation of any ordinance. He shall also provide and keep in his office a book wherein shall be entered daily all information he may receive respecting offenses committed, of suspected persons, of property stolen and recovered, and facts that may lead to the arrest of criminals or the recovery of stolen property; said book to be accessible only to the mayor and officers of the police department.

[February 14, 1888.]

Power and Duties of Chief.

SEC. 2. The chief of police shall have the direction and control of the police, and may, in any case of breach of ordinance, arrest the person or persons offending or report the same forthwith to the chairman of the police committee of the council. He shall be under the direction of the council exclusively in maintaining the peace and good order of the city. The council shall have exclusive authority to establish and regulate the police of the city, and the chief of police shall conform to such general police regulations as the council may from time to time direct. The chief of police shall report, on or before the fifteenth day of January in each year, or oftener if required, in

writing, to the city council, a true and certified account of the number of arrests and class of crimes charged, the amount of stolen property reported, the amount recovered, and the number of policemen on duty during the year.

[March 9, 1860; February 14, 1888.]

Rules and Regulations.

SEC. 3. The city council and chief of police are authorized and required to make all needful rules and regulations, not inconsistent with the ordinances of the city, for the government and control of the police department.

[March 9, 1860.]

Oath and Duties of Policemen.

SEC. 4. Every policeman appointed shall take an oath for the faithful performance of his duties as policeman, and shall see that the ordinances of the city are complied with.

[March 9, 1860.]

Uniforms and Badges While on Duty.

SEC. 5. All members of the police force of Salt Lake City shall provide themselves with uniforms and badges of office, which shall be worn by them on all occasions, when on duty, with such exceptions on the part of officers performing detective duty as may be permitted by the chief of police.

[October 22, 1889.]

Full Dress of Officers Described.

SEC. 6. The full dress of the members of the police force shall be of dark blue cloth, and shall be as follows:

For the Chief—The dress shall be a double-breasted frock coat, with two rows of "police" buttons on the breast, eight buttons in each row, placed in pairs; three small buttons at the under seam of each cuff; one button on each hip; one button on the bottom of each skirt pocket welt.

The vest—Single-breasted, with eight buttons placed at equal distances; black necktie and white shirt collar; pantaloons, plain.

The overcoat shall be double-breasted, and shall have eight "police" buttons on each breast, four on back and skirt, and three on cuffs.

The wreath on the hat to enclose the words "Chief of Police," in gold.

Sergeants and Corporals—Such members of the police force as may be detailed by the chief of police to act as sergeants and corporals shall wear the same uniform as policemen, with an appropriate chevron.

Policemen—The dress shall be a single-breasted frock coat, with eight buttons on the breast, one button on each hip, one button on the bottom of each pocket, and two small buttons on the under seam of each cuff.

Vest—Single-breasted, with eight buttons placed at equal distances; white shirt collar, black necktie; pantaloons, plain.

The overcoat shall have eight "police" buttons on the breast, four on the back and skirt, and two on each cuff.

Provided, That the members of the police force may, during the months of June, July, August and September, wear as uniforms a single-breasted, dark blue flannel blouse, with six police buttons thereon, in lieu of the regular police uniform.

[October 22, 1889 ; July 29, 1890.]

Badges and Stars.

SEC. 7. The chief and policemen shall wear a badge of silver in the form of a shield with a gold star in the center thereof, and the words "Salt Lake City Police" inscribed thereon.

[October 22, 1889.]

Hat to Be Worn.

SEC. 8. The policemen shall wear the regulation Derby hat, with such insignia inscribed thereon as will designate their rank.

[October 22, 1889 ; October 29, 1889 ; March 18, 1890.]

Uniforms Must Be Approved.

SEC. 9. All police uniforms shall be subject to the approval of the committee on police, and uniforms not in accordance with the standard prescribed in this chapter shall be rejected by them.

[October 22, 1889.]

CHAPTER XXX.

POLL TAX.

Amount—Who Liable to Pay.

SECTION 1. Two days' work of eight hours each, or in lieu thereof three dollars lawful money, is an annual road poll tax upon every man over twenty-one and under fifty years of age, who is not physically incapacitated to work, resident within Salt Lake City.

[April 6, 1886.]

How Used.

SEC. 2. Said poll tax shall be collected under the regulations hereinafter provided, and shall be used by said city for improving :

First—The public highways designated by the county court of Salt Lake county, within and running through said city; and,

Second—Any other streets or alleys in said city.

All labor performed shall be done under the direction of the supervisor of streets for Salt Lake City.

[April 6, 1886.]

List of Taxpayers, How Made.

SEC. 3. Said supervisor shall, by diligent search and inquiry, made at such times as he may elect between the first day of January and the thirtieth day of November in each year, ascertain and list the names of all persons within the corporate limits of said city, who are liable to pay poll tax, as provided in section 1 of this chapter. He shall enter said names in a suitable register, which shall be furnished him for that purpose by the city recorder, at the expense of the city. The names in each municipal ward shall be entered on the register separately from the names of the other wards, and the names in each ward

shall be in alphabetical order, with suitable columns opposite each name to enter date of notice, the time in which the person named is required to perform the labor, the kind of pay received and date of payment.

[April 6, 1886.]

Notice to Work to Be Given.

SEC. 4. It shall be the duty of said supervisor, at some time between the first day of January and the thirtieth day of November in each year, to deliver to each person liable to pay poll tax, or leave at his residence or usual place of business, a written or printed notice, citing him to appear at such time and place as may be designated in said notice, with appropriate tools for the kind of work to be performed, giving each person not less than two days' notice of such requirement. Whenever necessary, the supervisor is authorized to employ team labor upon such terms as he may deem proper.

[April 6, 1886.]

Delinquent Tax Payable in Money.

SEC. 5. If any person shall fail to pay the tax required by this chapter, within ten days after the time mentioned in the notice provided for in the preceding section, said tax shall be deemed delinquent, and the person so liable shall thereafter be required to pay such tax in money; and the supervisor of streets, as such, must proceed to collect the same as an action of debt in any court having jurisdiction; and no property of such delinquent shall be exempt from execution on a judgment so recovered.

[April 6, 1886.]

Money to Be Paid to Treasurer.

SEC. 6. The supervisor is hereby authorized to receive, at his office, cash in payment of poll tax, from any person tendering the same, and he shall pay over all money so collected to the city treasurer quarterly, or oftener if required by the city council. He shall keep stub receipt books, issue all receipts therefrom, and deliver to each person making payment of tax a receipt therefor. The receipts and stubs shall each show

whether the tax was paid in money or labor, and if paid in both, what portion of each. The stubs shall also contain any other facts shown in the receipts. The stubs of said receipt books shall be delivered to the city treasurer, with all moneys not previously paid over, on or before the fifteenth day of December in each year.

[April 6, 1886.]

Annual Report to Council.

SEC. 7. On or before the 31st day of January in each year the supervisor of streets shall return to the city council the register provided for in section 3 of this chapter, with a written report containing a summary of the facts shown therein, which said report shall show:

First—The total number of persons assessed for poll tax during the past year in Salt Lake City.

Second—The total amount of poll tax paid in labor.

Third—The total amount of poll tax paid in money.

Fourth—The amount of tax collected by suit, and the names of the delinquents.

Fifth—The amount of uncollected poll tax, the name of each delinquent, and the reason in each case why such tax remains uncollected.

Sixth—The amount and kind of poll tax labor expended within the city limits, and the places where such labor was performed.

Seventh—A general report of the condition of public highways within his jurisdiction.

[April 6, 1886; February 14, 1888.]

Special Reports—Penalty.

SEC. 8. The city council may at any time require special reports from the street supervisor. A failure to make any report as provided in this chapter shall subject the supervisor to a penalty in any sum not exceeding one hundred dollars, to be recovered in an action on his bond.

[April 6, 1886; February 14, 1888.]

CHAPTER XXXI.

PRISONERS AND CITY PRISON.

Commitment Until Fine Paid.

SECTION 1. In any case where a party is sentenced to pay a fine, or fine and costs, under an ordinance of Salt Lake City, the court may direct that he stand committed until the fine or the fine and costs are paid, not to exceed one day for each dollar of fine or fine and costs.

[February 14, 1888.]

Court May Order Prisoner to Labor.

SEC. 2. Any person who is committed to imprisonment for violating any ordinance of said city may be ordered by the court passing judgment to perform labor on the public works, or other works of said city as his or her strength will permit, during the term of such imprisonment; but no prisoner shall be required to perform labor more than ten hours a day, nor perform labor on Sunday or on any legal holiday, and to be allowed one dollar for each day's work on account of such fine and imprisonment.

[June 17, 1891.]

Jailer to Adopt Rules—Record.

SEC. 3. It shall be the duty of the jailer of the city prison to formulate a system of prison rules and to keep a record in which he shall enter a statement of every infraction thereof committed by any of the convicts. At the end of each month he shall certify upon said record to the good conduct of each convict who has not been guilty of an infringement of any of the rules.

[April 9, 1889.]

Reduction of Sentence for Good Behavior.

SEC. 4. Each convict who has not been guilty of a breach of the rules of the prison shall be entitled to a reduction of the period of sentence as hereinafter provided ; and when the term of imprisonment for each convict who has been sentenced by the court shall be diminished by good conduct under the provisions of this ordinance, so that the term of imprisonment has thereby expired, the jailer of the city prison shall immediately furnish to the city auditor a certificate stating the length of time the term of imprisonment has been so diminished, and, no objection appearing to the mayor, the convict shall be released.

[April 9, 1889.]

Amount of Deductions.

SEC. 5. The following deductions shall be allowed to convicts for good behavior: From a term of sentence of one month, five days; from a term of two months, ten days; from a term of three months, fifteen days; from a term of four months, twenty days; from a term of five months, twenty-five days; from a term of six months, thirty days.

[April 9, 1889.]

Proportion Deductions.

SEC. 6. In all terms of sentence terminating immediately between the terms hereinbefore specified, the deduction shall be proportionate to those named in the foregoing section.

[April 9, 1889.]

When Prisoner Forfeits Deductions.

SEC. 7. For a violation of the rules, the convict shall be liable to forfeit all or any part of the reduction time, as the jailer may determine; *Provided*, that any convict who may feel aggrieved by the action of the jailer, or other officer in charge, in such cases, shall have the right to appeal to the mayor, who, upon investigation, may credit back the reduction time of which the convict has been deprived, or any part thereof, if in the judgment of the mayor it would be just and right to do so.

[April 9, 1889.]

Further Duties of Jailer.

SEC. 8. It shall be the duty of the jailer to take charge of the city prison, to cause the same to be warmed and lighted when it shall be necessary, and kept clean and in proper order. He shall have the custody of the inmates thereof, and shall see to feeding and otherwise caring for the same. He shall furthermore see that all rules prescribed by the city council for the government of the prison are carried into effect. He shall keep a book, in which shall be entered the day and hour of receiving a prisoner and the day and hour of his release.

[February 14, 1888.]

CHAPTER XXXII.

PROCEDURE.**To Conform to Act of Legislature.**

SECTION 1. In all cases of prosecution for the violation of any of the ordinances, rules or regulations of the city, the procedure shall conform substantially to the requirements of the act of the Territorial legislature, approved March 13, 1884, and entitled "An act revising the proceedings in justices' courts, and providing for appeals to district courts in criminal cases," and to all acts amendatory thereof.

[February 14, 1888.]

CHAPTER XXXIII.

PROVISION INSPECTOR.

Duty of Inspector of Provision.

SECTION 1. It shall be the duty of the inspector of provisions to obey all orders of the health commissioner and board of health. He shall perform all the duties usually and ordinarily required of such an official, including the inspection of dairies, slaughter-houses, and all places of business contemplated in chapter eighteen (18) of these revised ordinances, attend to the proper enforcement of the provisions of that chapter, and make the proper tests to determine the purity of milk and other food products held for sale in Salt Lake City.

[March 17, 1860.]

CHAPTER XXXIV.

PUBLIC LANDS.

A RESOLUTION

AUTHORIZING THE MAYOR TO TENDER CERTAIN LANDS TO THE CHANCELLOR AND BOARD OF REGENTS IN TRUST FOR THE UNIVERSITY OF DESERET, AND TO EXECUTE A DEED THEREFOR UPON CERTAIN CONDITIONS.

Union Square Donated to University of Deseret.

WHEREAS, The Corporation of Salt Lake City is desirous of aiding the cause of education, and recognizing the necessity of suitable buildings upon grounds eligible for such purpose, and the benefits which will result to the people at large by increased facilities for education ; therefore,

Be it Resolved by the City Council of Salt Lake City: That the mayor of said city be and is hereby authorized to tender, as a donation to the chancellor and board of regents of the University of the State of Deseret, in trust for the use and benefit of said University, the square known as Union Square belonging to said city, being block one hundred and two (102), plat A, Salt Lake City survey, on which to erect suitable buildings for educational purposes, upon the following conditions :

First—The acceptance of the trust by said chancellor and board of regents ;

Second—The payment of one dollar ;

Third—The erection upon said land of the chief and principal buildings of said University ;

Fourth—That such buildings shall be used exclusively for educational purposes and purposes incidental therefo ;

Fifth—That suitable courses of instruction shall be provided and maintained in said buildings at all reasonable times, by and under the direction of said chancellor and board of regents and their successors in office ;

Sixth—That the right of the inhabitants of said city to enter upon said land or grounds for the purpose of promenade shall be forever reserved, and to be exercised under and subject to such regulations as may from time to time be established by said chancellor and board of regents, in conjunction with the mayor of Salt Lake City, and their respective successors ;

Seventh—That whenever the purpose for which the proposed trust is granted shall cease to be carried out, and when University buildings, and courses of instruction therein shall cease to be maintained and continued, the proposed trust shall cease and become absolutely void and of non-effect.

And on the acceptance by the said chancellor and board of regents of the trust hereby proposed on the conditions as afore-said, the said mayor be and is hereby authorized to execute the proper deed of conveyance of said described premises to, said chancellor and board of regents, in trust for the use and benefit of said University, subject to such conditions.

[Adopted October 19, 1880.]

A RESOLUTION

RATIFYING AND CONFIRMING THE DONATION BY SALT LAKE CITY
OF LANDS FOR THE SITE OF A CAPITOL BUILDING FOR
THE TERRITORY OF UTAH.

Donation of Site for Capitol Building.

WHEREAS, The city of Salt Lake has offered and tendered to the Territory of Utah, under the conditions, limitations and restrictions hereinafter named, the following-described lands and premises, to be used and devoted to the erection of the capitol buildings of the Territory or the future State of Utah, to-wit: Beginning at a point two hundred and fifty-two (252)

feet south and seven hundred and ninety-nine and one-half (799½) feet east from the southwest corner of the northwest quarter of section thirty-one (31), township one (1) north of range one (1) east, Salt Lake meridian; thence east one hundred and thirty-two (132) feet, thence north eighteen (18) degrees east five hundred (500) feet, thence north nine hundred (900) feet, thence west one thousand (1000) feet, thence south twenty-seven (27) degrees forty-five (45) minutes east fifteen hundred and fifty (1550) feet to the place of beginning; containing nineteen and forty-six one-hundredths (19 46-100) acres; said tract being contained within the limits of the west half of said section thirty-one (31); also an additional one-half interest in five (5) acres of land, more or less, as may be necessary, suitably situated on Capitol Hill, for reservoir purposes, the location of said land to be hereafter determined by the Territory and city, the said conditions, limitations and restrictions to be as follows, to-wit:

First—Acceptance of the land designated and trust herein conferred under the conditions named.

Second—The payment of one (\$1.00) dollar.

Third—The erection upon said lands of the capitol buildings of the Territory or future State.

Fourth—That such buildings be used exclusively for Territorial or State purposes.

Fifth—That the portion of said land not actually devoted to buildings, as aforesaid, be improved and cultivated as a public park.

Sixth—That whenever the purposes for which the proposed grant is made shall cease to be carried out, and said grounds shall cease to be used for capitol grounds or Territorial or State purposes, as herein provided, then the proposed trust shall cease and the grant become absolutely void and of no effect, and said lands revert to the grantor; and

WHEREAS, The said offer and tender of said lands by the city of Salt Lake to the Territory of Utah has been accepted by the said Territory, subject to the conditions, limitations and restrictions in said offer specified and set forth; now, therefore,

Be it Resolved by the City Council of Salt Lake City: That the mayor be, and is hereby, authorized to execute a deed of conveyance of the lands hereinbefore described to the Territory of Utah, subject to the conditions named.

[Adopted March 6, 1888.]

A RESOLUTION

RATIFYING AND CONFIRMING THE DONATION BY SALT LAKE CITY OF LANDS FOR THE SITE OF TERRITORIAL FAIR BUILDINGS FOR THE TERRITORY OF UTAH.

Donation of Site for Territorial Fair Buildings.

WHEREAS, The City of Salt Lake has offered and tendered to the Territory of Utah, under the conditions, limitations and restrictions hereinafter named, the following described lands and premises, to be used and devoted to the erection of Territorial or State fair buildings, to-wit: All of block twenty-five (25), plat B, Salt Lake City survey, the said conditions, limitations and restrictions to be as follows, to-wit:

First.—Acceptance of the governor and legislative assembly of the premises designated and trust herein conferred.

Second.—The payment of one dollar.

Third.—That the sum of twenty thousand (\$20,000) dollars be appropriated by the governor and legislative assembly of the Territory, and be expended in the years 1888, 1889, for the erection of permanent Territorial or State fair buildings, and the improvement of said land.

Fourth.—That such buildings be used exclusively for Territorial or State fair purposes.

Fifth.—That the portion of the grounds not actually devoted to buildings, as aforesaid, be improved and cultivated as a public park.

Sixth.—That whenever the purposes for which the proposed grant is made shall cease to be carried out, and said grounds cease to be used for Territorial or State fair purposes, as herein provided, then the proposed trust shall cease and the grant become absolutely void and of no effect, and the said lands revert to the grantor. And,

WHEREAS, The said offer and tender of said lands by the City of Salt Lake to the Territory of Utah has been accepted by the said Territory, subject to the conditions, limitations and restrictions in said offer specified and set forth, now, therefore,

Be it Resolved by the City Council of Salt Lake City: That the mayor be, and is hereby, authorized to execute a deed of conveyance to the land hereinbefore described to the Territory of Utah, subject to the conditions named.

[Adopted March 20, A. D. 1888.]

AN ORDINANCE

RESERVING AND DEDICATING CERTAIN LANDS IN SALT LAKE CITY
FOR THE USE OF THE PUBLIC.

Lands Dedicated to Public Use.

SECTION 1. *Be it Ordained by the City Council of Salt Lake City:* That the lands hereinafter described, lying and being within the limits of said city, be, and the same are hereby, forever reserved and dedicated to the use of the public, as public parks and squares, school, asylum and hospital lots, waterworks, reservoirs and tanks, streets, roads, lanes and alleys, for fire engines, hose and pest houses, and such other necessary public uses as may be hereafter designated by the city council of Salt Lake city, under such regulations and restrictions as it may from time to time prescribe. The lands so dedicated are described as follows, to-wit:

Beginning at the center of section 25, of township 1 north, range 1 west, Salt Lake meridian, thence north 26 6-10 rods,

thence east 36 rods, thence south 26 6-10 rods, thence east 104 rods, thence north 46 6-10 rods, thence east 20 rods, thence north $34\frac{1}{2}$ rods, thence south 80 degrees west 18 rods, thence south 25 degrees 22 minutes east $25\frac{1}{2}$ rods, thence south 64 degrees 38 minutes west 20 rods, thence west $53\frac{1}{2}$ rods, thence north 40 rods, thence west 40 rods, thence north 73 4-10 rods, thence east 80 rods, thence south 50 rods, thence east 40 rods, thence north 50 rods, thence east 80 rods, thence south 160 rods, thence east 240 rods, thence south 135 rods, to the north side of block 191, plat D, Salt Lake City survey, thence west 164 rods, to the northwest corner of block 185, plat D, thence south 75 rods, thence west 25 rods to the northwest corner of block 153, plat D, thence south 110 rods, thence west 5 rods, thence south 5 rods, thence west 10 rods, thence south 20 rods, thence west 10 rods, thence south 15 rods, thence west 5 rods, thence along City creek south 25 degrees west $22\frac{1}{2}$ rods, to the northwest corner of the Garden wall, thence along said wall south 27 degrees west 27 rods, to the north side of Third street, thence west 11 2-10 rods, to the west side of Cañon road, thence north 29 degrees and 40 minutes east 24 rods, to the northeast corner of John R. Park's land, thence north 17 degrees east 9 6-10 rods, thence north 10 degrees and 50 minutes east 10 rods, thence west 6 rods, thence south 30 degrees and 30 minutes west 5 4-10 rods, thence west 5 4-10 rods, thence north 33 rods, thence north 18 degrees east $20\frac{1}{2}$ rods, thence north 63 6-10 rods, thence east 3 rods, thence north 104 9-10 rods, to the northeast corner of plat J, Salt Lake City survey, thence west along the north line of said plat J 120 rods, to the east line of block 33, plat E, thence north 32 degrees and 15 minutes west $11\frac{1}{2}$ rods, to the northeast corner of said block 33, thence west 28 rods, thence north 35 degrees east 47 and 3-10 rods, to the northeast corner of the City View addition, thence north 36 degrees and 30 minutes west $30\frac{1}{2}$ rods, to the northeast corner of the Utah Lime and Cement company's lands, thence south 43 degrees and 30 minutes west 50 rods, thence north 10 degrees and 20 minutes west 20 rods, thence north 26 degrees 40 minutes west 55 2-10 rods, thence south 55 degrees and 15 minutes west 19 3-10 rods, to the east side of the County road, thence north 24 degrees 30 minutes west along said road 26 rods, to the quarter section line, thence north 31

rods, to the place of beginning, excepting the following described lands:

Beginning at a point 65 2-10 rods south and $\frac{1}{2}$ rod west from the northeast corner of the southwest quarter of section 30, township 1 north, range 1 east, Salt Lake meridian, thence south 31 degrees west 18 rods, thence north 59 degrees west 9 rods, thence north 31 degrees east 18 rods, thence north 27 degrees east 18 rods, thence south 63 degrees east 9 rods, thence south 27 degrees west 17 4-10 rods, to the place of beginning, containing 2 acres; also beginning at a point 8 rods west, and north 12 degrees and 30 minutes east, 26 9-10 rods from the northwest corner of plat I, Salt Lake City survey, thence north 15 degrees and 45 minutes east 10 rods, thence east 4 rods, thence south 15 degrees and 45 minutes west 10 rods, thence west 4 rods, to the place of beginning, containing 40 square rods of ground; containing in all 625 5-100 acres.

[Passed September 3, 1889.]

CHAPTER XXXV.

RAILROADS.

To Repair Sewers, Street Crossings, etc.

SECTION 1. All companies constructing railroads within the limits of the city shall be subject to the following regulations : The grantees of all railroads shall, at their own expense, construct and keep in good repair all water sects, sewers, drains, street crossings, or receiving basins, and all fixtures connected therewith, and with the distribution of water in said city which may be affected thereby. The construction, alterations and repairs to be done under the direction of the city watermaster, subject to the approval of the City Council.

[June 2, 1871.]

Arches and Bridges—Tracks on Grade.

SEC. 2. It shall especially be incumbent on all railroad companies, at their own expense, to construct arches and bridges for all the cross streets, now or hereafter to be made, which will be intersected by the embankments or excavations of their railroads, and also to make such embankments or excavations as, in the opinion of the city council, may be required to make the passage over the railroad and embankments easy and convenient for all the purposes for which streets are usually used ; and also all such drains and sewers as their embankments and excavations may make necessary. And, further, the said companies shall make their railroad tracks conform to what is or may hereafter be the regulation or grade of the street or place through which their railroads pass ; and no company shall have the right to take up, remove, carry away, or cause, or permit to be taken up, removed or carried away, any rock, gravel, earth, or other material from any street or public place, for making embankments, grades, or for any other purpose, except by permis-

sion of the city council, and under the direction of the street supervisor. And all railroad companies shall plank between all rails, and for two feet on either side of the outer rail, on all streets that cross the said tracks, said planking to be for the full width of said cross street and sidewalks, unless otherwise directed by the city council.

[June 2, 1871.]

Obstructions and Impediments.

SEC. 3. If, at any time after the commencement of the construction of any railroad, it shall appear to the city council that any part thereof shall constitute an obstruction or impediment to the ordinary use of any street or place, or be operated contrary to the regulations of the city, the said railroad company, or the officers thereof, shall, on the requisition of the city council, forthwith provide a remedy for the same, satisfactory to said council; or, if they fail to find such remedy, they shall, within one month after such requisition, proceed to remove such railroad obstruction or impediment, and to replace the street or place in as good condition as it was before the said railroad was laid down; and should the said company or officers neglect or refuse to obey such requisition, the city council may, upon the expiration of the time limited in such notice, cause the obstruction or impediment to be removed and the street or place restored, as aforesaid, at the expense of the said railroad company.

[June 2, 1871.]

Crossing Other Tracks.

SEC. 4. Nothing in any ordinance or resolution granting right of way, or franchise for railroad, shall be construed to prohibit any other railroad company from crossing any railroad track already laid, and when any railroad shall intersect any other railroad, the rails of each shall be so cut or altered as to permit the cars to pass without obstruction; and any person willfully obstructing any railroad herein provided for, shall, on conviction thereof, be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment not exceeding six months, or to both such fine and imprisonment.

[June 2, 1871.]

Speed—Bells—Meeting at Crossings.

SEC. 5. The tracks of all railroads shall be laid in the center of the streets, unless otherwise directed by the city council, and all locomotives, cars and trains are hereby prohibited from running at a greater speed than eight miles per hour within the limits of this city ; and the bells on locomotives in motion shall in all cases be rung continuously in the inhabited portions of the city, and all locomotives, cars and trains are required to come to a full stop before crossing any other line of railroad, and at a distance of not less than forty feet therefrom ; and when two trains arrive at the same crossing simultaneously, the train on the first constructed track shall have precedence in crossing, and no train, engine, or cars shall be allowed to stand in the streets or upon the sidewalks or crossing to obstruct the ordinary travel thereon. Any violation of the provisions of this section shall render the offender liable to a fine in any sum not exceeding one hundred dollars or imprisonment not exceeding six months, or to both such fine and imprisonment.

[June 2, 1871 ; May 22, 1877 ; February 14, 1888.]

Rights Reserved to City.

SEC. 6. The right of regulating the description of power to be used in the city in propelling cars on and along railroads, and the speed of the same, together with the price of the license or tax to be paid therefor, shall not, by virtue of any grant or contract, be construed to mean that such right passes to the grantee ; but such rights, together with all other powers vested in said council for the regulating, controlling or removing of railroads within said city, are expressly retained and reserved.

[June 2, 1871.]

AN ORDINANCE

GRANTING CERTAIN RIGHTS OF WAY TO THE RIO GRANDE WESTERN RAILWAY COMPANY, AND COMPILING AND AMENDING PRIOR GRANTS.

Franchise Rio Grande Western Railway Company.

Be it Ordained by the City Council of Salt Lake City:

SECTION 1. There is hereby granted to the Rio Grande Western Railway Company, its successors and assigns, the use for railroad purposes of certain portions of the streets of said city, as follows:

The right to occupy with steam railroad tracks and use for ordinary railroad-yard purposes all those portions of Sixth West street between Second and Third South streets and between Third and Fourth South streets; also, to lay, maintain and use two railroad tracks on the east side of Sixth West street between Fourth and Sixth South streets; also, to lay, maintain and use one railroad track on the west side of Fifth West street from Second South street to Fifth South street, the outer or easterly rail of which shall not be more than twenty feet east of the east line of the lots on the west side of Fifth South street; *Provided, however*, that in consideration of this grant the said railroad company shall grade and gravel Fourth South street from Sixth West street to the west line of Seventh West street, and Seventh West street from Fourth South street to the north line of Second South street, and Second South street from Seventh West street to Fifth West street, on the grade established by the city engineer, and gravel the same with a substantial top dressing of good gravel to the satisfaction of the street supervisor, and complete the work on or before the first day of September, 1891.

Also, that said railway company shall open Fourth South street from Fifth to Sixth West streets, bring its tracks across said street to the grade established by the city engineer, and grade Fourth South street from Sixth West street to the center

of Fifth West street, and plank and keep in good repair all tracks crossing Fourth South street, so that the same shall be in first-class condition for public travel.

SEC. 2. The right of way heretofore granted to the Denver & Rio Grande Western Railway Company for a line of railroad on Sixth West street from Second South street north to the city limits is confirmed to the Rio Grande Western Railway Company and made permanent, and there is granted to said company, its successors and assigns, the right to maintain and use a single standard-gauge steam railroad track on Sixth West street from Second South street north to Seventh North street, and thence northwesterly on the line now occupied by its main line, on and across such streets as said main line now occupies, to the north limits of the city; also, to maintain and use the gravel bed and stone quarry branch as now laid and used, from Seventh North to Ninth North streets, and thence northerly and easterly on and across such streets as it now occupies to the northerly limits of the city; also the right to maintain the switch tracks on Sixth West street, just north of Second South street, leading to the coal yards, and southerly across Second South street to the station grounds of the company, except the most westerly of said switch tracks, which is to be moved as hereinafter provided, and when so moved may be maintained and used as aforesaid.

Provided, however, that as a condition to the right to maintain and use said westerly switch track which leads to the stone yard, it shall be moved easterly by said company within thirty days after the passage of this ordinance, so that there shall be at least thirty feet between the westerly rail thereof and the nearest part of the line of the lot on the southeast corner of block 47, plat C of the city survey, being the northwest corner of the space of intersection of Second South and Sixth West streets.

And provided further, that said railway company, its successors and assigns, shall from time to time, when reasonably required by the city, furnish, haul and deliver on its cars for use, sufficient gravel to gravel all those parts of Sixth West street from Second South street north which have not been graveled under the conditions of the grant of June 14, 1882,

to-wit: to gravel the same from the water courses on either side to the top of its road-bed, the city to furnish men to load and unload and distribute the gravel under the direction of the street supervisor.

SEC. 3. The grants hereby made are also subject to the fulfillment by said company, its successors and assigns, of any and all former agreements in respect to planking and keeping in repair street crossings, and to a compliance by said company with all ordinances of the city now existing or hereafter lawfully made respecting planking and maintaining street crossings in good repair.

SEC. 4. This ordinance shall not be construed to relate to or in anywise affect such franchises and rights of way as have heretofore been granted by the city on the request of said company, shippers or manufacturers, for switch tracks from any line or lines of railroad mentioned in this ordinance to the places of business of shippers or manufacturers.

[July 28, A. D. 1891.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALTAIR RAILWAY COMPANY.

Franchise Saltair Railway Company.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the "Saltair Railway Company," its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it to construct and operate by cable, electric or steam motive power, a single or double track railway, together with all the necessary switches for the accommodation of said railway on the following street of the said city, to-wit:

Along and through Third South street at and from its intersection with East Temple street, thence westerly to the city

limits (the railway running through the county of Salt Lake to the Great Salt Lake.)

On the following conditions, namely: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. That the tracks shall be constructed in the center of the street unless otherwise directed by the city council. That the water-courses of said street shall be left and kept free and unobstructed, and good crossings shall be made and maintained by the grantees at the intersections of streets or elsewhere, at the direction of the city council. In consideration of this franchise the grantees, its successors and assigns aforesaid are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid, and they shall use the flat rail on said street where same is paved. The grantees, its successors and assigns aforesaid, are not permitted to use steam power for propelling cars, unless the same be stationary, and also that the grantees construct a viaduct for the passage of the aforesaid railway, vehicles and pedestrians on Third South street, over the Rio Grande Western tracks, between Fifth and Sixth West streets, in such a manner as shall be approved by the city engineer, whenever the city council may order the same to be done.

SEC. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and the said company shall pay into the city treasury a per capita tax of $1\frac{1}{4}$ mills on each and every fare collected, and the price of a single fare within the city limits shall not exceed 10 cents.

SEC. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, or laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

SEC. 4. That in the construction and operation of said railroad, the said grantee, and its successors and assigns, shall

at all times conform to such ordinances, rules and regulations as have been, or may hereafter be, adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

SEC. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantees herein shall allow running arrangements over grantee's tracks to such other company, on streets where said grantees may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 6. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway, by reason of the default or misconduct of said grantees, and its successors and assigns, or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense and damage, of any nature, arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage, of any kind, it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee, and its successors and assigns, and conclusive as to the liability of the latter to the former; *Provided*, said grantee has had notice of the pendency of the suit in which such judgment is recovered, and has been given an opportunity to defend the same.

SEC. 7. That if this grant, with the terms and conditions herein contained, be not accepted by said grantee within thirty

days after the passage of this resolution, or if work be not commenced within sixty days after said acceptance, or if this road is not built in six months to the Great Salt Lake, this grant and franchise shall become null and void.

[April 22, 1890.]

A RESOLUTION

AMENDING BILL NO. 20, GRANTING FRANCHISE TO THE SALT AIR RAILWAY COMPANY.

Franchise Saltair Railway Company.

Resolved, That the Saltair Railway Company is hereby allowed to use steam motive power commonly known as "Dummy Engines" on their street railway track on Third South street, from Sixth West street west to the city limits, for the term of two years from and after the date of the passage of this resolution.

[May 2, 1890.]

AN ORDINANCE

GRANTING A RIGHT OF WAY THROUGH CERTAIN STREETS OF SALT LAKE CITY FOR A RAILROAD TO THE SALT AIR RAILWAY COMPANY, ITS SUCCESSORS AND ASSIGNS.

Franchise Saltair Railway Company.

SECTION 1. *Be it Ordained by the City Council of Salt Lake City*: That the Saltair Railway Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted, to construct and operate a single track, standard gauge railroad, together with all the necessary switches for the accommodation of said road, to propel

thereon cars by steam power, on the following streets of said city :

Commencing at the west side of Sixth West street on South Temple street, thence west on said South Temple street to the western limits of the city.

First—That all tracks laid by said grantee, its successors or assigns, shall be in the center of the streets, unless otherwise directed by the city council, and in such a manner as may be approved by the city council.

Second—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if said grade is afterwards changed by order of the city council, said grantee, its successors or assigns, shall, at its own expense, change the track to conform to the same, and shall keep the road ballasted with gravel to within one and one-half inches of the top of the rails ; *Provided*, that whenever any of the streets along which the said railway is built shall be paved, then said grantee, its successors or assigns, shall pave between the rails, and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Third—That said grantee, its successors or assigns, shall gravel and maintain in good condition, at the established grade, the streets along which the track runs for a distance of twenty feet on each side of the outer rails, subject to the approval of the supervisor of streets. Said improvements to be made as follows: One-half within one year, and the other half within eighteen months after the commencement of the building of said road.

Fourth—Said grantee, its successors or assigns, shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once upon construction of their said road put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid. And said grantee shall comply with the directions of said city council in

the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour. And no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition at the expense of said grantee at all the water ditches crossed by said railway, so as to admit of the free passage of water.

Eighth—If engines, trains or cars are run at night a red light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—Said city of Salt Lake shall in no way be liable or responsible for any accident or damage that may occur on said road by reason of the default or misconduct of said railway company or its employes. And the said grantee, its successors and assigns, covenant and agree to save the said city harmless from and against any liability, loss, cost or expense, or damage of any nature arising out of the default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railroad; and to indemnify and repay said city for any loss, cost or expense, or damage of any kind which may be sustained by reason of any such default, misconduct, accident or danger; and if any judgment for damages for any loss, default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between said city and said grantee, its successors or assigns, and conclusive as to the liability of the latter to the former.

Tenth—The construction of said railway to commence within ninety days after the passage of this ordinance, and said railway shall be completed and the same equipped in first class manner, and cars running thereon from the city limits west to the Great Salt Lake within twelve months after the passage of this ordinance.

Eleventh—That whenever the city council shall find it

necessary or desirable to grant to any other steam railroad company a franchise over any of the streets herein granted, the grantee herein shall allow running arrangements over grantee's tracks to such other company, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 2. That this franchise is granted for the full term of twenty years from and after the passage of this ordinance.

SEC. 3. That if the grantee, or its successors and assigns, shall fail to keep and perform all the stipulations of this ordinance, or shall fail or refuse to comply with all the rules, regulations and ordinances of Salt Lake City relating to railroads and the running of the same within the city limits, which are now enacted, or which shall hereinafter be enacted, then the city council, after sixty days' notice, and on failure on the part of the said grantee to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the said road and control the same as if this ordinance had not been passed.

SEC. 4. If this grant, with the terms and conditions herein appended, be not accepted in writing by the grantee within thirty days after the passage of this ordinance, the same shall be void and of no effect.

SEC. 5. This ordinance shall take effect from its passage.
[January 19, A. D. 1892.]

A RESOLUTION

GRANTING A FRANCHISE TO, AND AUTHORIZING THE MAYOR AND RECORDER OF SALT LAKE CITY TO SIGN A CONTRACT WITH,
"THE SALT LAKE AND FORT DOUGLAS RAILWAY COMPANY."

Franchise to Salt Lake and Fort Douglas Railway Company.

Be it Resolved by the City Council of Salt Lake City:
That "The Salt Lake and Fort Douglas Railway Company," its

successors and assigns, have a right of way, for the period of twenty-five years, over and along the following named streets of said city, to construct, maintain and operate a two or three-railed steam railway from a point connecting with the Denver and Rio Grande Western railway on Eighth South street, and running east to the crossing of the Utah Central railway, with the privilege of connecting with said Utah Central railway by a separate switch; thence east along said Eighth South street to Seventh East street, curving south on to and along Seventh East to Ninth South street; thence curving east on to and along Ninth South street to Tenth East street; curving north on to and along said street along and across the Jordan and Salt Lake City canal; thence curving easterly, and crossing Fourth, Third and Second South streets to the city gravel block on Twelfth East and First South streets; along and across said Twelfth East street, curving on to First South street, along and across said street to Thirteenth East street; thence north, east and south by the most feasible grade to the line of the Fort Douglas military reservation, on the terms and conditions contained in the following agreement, to-wit:

This agreement, made and entered into on this —— day of ——, in the year of our Lord one thousand eight hundred and eighty-four, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of Utah Territory, party of the first part, and hereinafter designated as "said city," and The Salt Lake and Fort Douglas Railway Company, a railway corporation of Utah Territory, hereinafter designated as "said railway company," party of the second part, witnesseth :

WHEREAS, the said railway company is about to construct and operate through the streets of Salt Lake City a railroad to carry passengers and freight for hire, and for this purpose has applied to said city for a right of way over and along its streets and highways, and for the privilege of laying tracks and running cars thereon, and the said city has granted said application for a period of twenty-five years to said railway company on the terms and conditions following, to-wit:

First—In consideration of the covenants and agreements made by the said railway company, and hereinafter contained,

said city has granted, given and extended, and by these presents does grant, give and extend unto the said railway company, a right of way and transit, and a right to build, own, maintain and operate a two or three-railed steam railway, with power to move cars thereon from a point connecting with the Denver and Rio Grande Western railway on Eighth South street, and running east to the crossing of the Utah Central railway, with the privilege of connecting with said Utah Central railway by a separate switch; thence east along said Eighth South street to Seventh East street, curving south on to and along Seventh East to Ninth South street; thence curving east on to and along Ninth South to Tenth East street; curving north on to and along said street along and across the Jordan and Salt Lake City canal; thence curving easterly, and crossing Fourth, Third and Second South streets to the city gravel block on Twelfth East and First South streets; along and across said Twelfth East street, curving on to First South street, along and across said street to Thirteenth East street; thence north, east and south by the most feasible grade to the line of the Fort Douglas military reservation, with necessary and convenient switches, side tracks and turn-tables at the termini and depots of its road; switches and changes in location of track to be made only by consent and with the approval of the city council of said city; *Provided*, that no freight shall be loaded or unloaded except at the terminal points or depots of said railway.

In consideration whereof the said railway company has agreed for itself, its successors and assigns, and by these presents does agree for itself, its successors and assigns:

First—That all tracks laid by said railway company shall be in the center of the streets, except where it is necessary to make curves in connecting with the Denver and Rio Grande Western railway and with the Utah Central railway, and to turn on to the other streets as hereinbefore described; and no tracks shall be laid upon any sidewalk except to enter or leave the block to which it is adjacent.

Second—That all of the said railway company's tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if such grade is afterwards changed by order of the city council, said railway company

shall, at its own expense, change its track to conform to the same, and shall keep the road ballasted with gravel to within one and a half inches of the top of the rails.

Third—That the said railway company shall gravel and maintain, in good condition, at the established grade, the streets along which its track runs, for a distance of twenty feet on each side of the outer rails, subject to the approval of the supervisor of streets, said improvements to be made as follows: One-half within one year, and the other half within two years after the commencement of building the road, and said railway company shall have permission to take gravel for said purpose from the city gravel block.

Fourth—Said railway company shall put in and maintain plank crossings between the rails, and one foot on the outside of the outer rails, for the entire width of West Temple street, East Temple street, First East street, Fifth East street, and such other principal thoroughfares as the supervisor of streets may at any time designate; and on all other streets intersecting the line of its road, plank crossings shall be put in and maintained by said railway company twenty-four feet long in the center and eight feet long in a line with each sidewalk thereof, the whole width inside, and one foot on the outside of the rail on each side of the track, and the top surface of said planks shall be on a level with the top of the rails.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets on which it is laid. And the said railway company shall comply with the direction of said city in the construction of its line, and in the operation of the same, within the limits of said city, when it does not interfere with the points of special agreement as herein set forth.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey the water shall be laid and maintained in good condition at the expense of said railway company, at all water ditches crossed by said railway, so as to admit of a free passage of the water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon and a white light shall be placed on the front end of such engine, car or train.

Ninth—That said railway company shall place on said railway dummy passenger cars, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, and under such regulations as the city council may from time to time prescribe.

Tenth—That said railway company shall, whenever the city council of said city may require it, after June 1st, 1887, pay to said city a *per capita* tax of five mills for each and every passenger carried in said dummy cars on said railway, or in lieu thereof, at the option of said city council, said railway company agrees to haul, free of charge, over and on said railway, each way each and every day, Sundays excepted, from and to such points on said railway, as said city, by its officers, agents or employés may designate and require, not exceeding two hundred tons of gravel per day; said city to furnish not less than ten cars for each train, and to load and unload the same, also to furnish the necessary switches to connect with said railway, and to have the right to make connection with said railway at any and every point said city may desire for the aforesaid purpose. The payment by said railway company of five mills for each and every passenger carried on said dummy cars shall not be demanded from said railway company, its successors or assigns as herein provided, during the period said city shall receive gravel as aforesaid, and it shall be at the option of said city to elect whether it shall demand and receive from said railway company the five mills for each and every passenger carried or the transportation of the gravel in the quantities and according to the terms herein specified; and nothing herein shall be construed to prevent said city from exercising said option at pleasure, *provided, however*, that said city shall not exercise its right to demand and receive the five mills for each and every passenger carried on said dummy cars, or the transportation of the gravel according to the terms herein specified, for a less period than three months; and said city shall, from time to time, notify in

writing said railway company, its successors and assigns, of the times or periods during which it will demand or require the payment of the five mills for each and every passenger carried on said dummy cars or the transportation of the gravel as hereinbefore specified; and the return of the number of passengers carried on said dummy cars, shall be made under oath, by the president and secretary of said railway company to the mayor of said city, within thirty days after the expiration of the term of three months for which said railway company has been notified it will be required to pay into the city treasury the five mills for each and every passenger carried on said dummy cars, and payment of the amount due said city from said railway company shall be made within five days after making the returns herein specified.

Eleventh—Said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employés, and the said railway company covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

Twelfth—The construction of said railway to commence within ninety days after the signing of this agreement, and said railway shall be completed within nine months from said date.

Thirteenth—The said railway company, its successors or assigns, hereby binds itself to comply with all the stipulations hereof. That if the said grantee, its successors and assigns, shall fail to keep and perform all the stipulations of this agreement, the city council, after sixty days' notice, and on failure of

the company to provide a remedy, or make satisfactory arrangements therefor, may by a two-thirds vote, declare this agreement null and void, and proceed to take possession of the road-bed and control the same as if this agreement had not been made.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be hereunto affixed, by order of the city council of said city, and the president of said "The Salt Lake and Fort Douglas Railway Company" has hereunto set his hand and caused the corporate seal of said company to be hereto affixed by order of the board of directors of said company. Done in duplicate the day and year in this agreement first above written; attested by the recorder of said city and by the secretary of said company.

And be it further resolved, that the mayor of said Salt Lake City be and is hereby authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

[September 23, 1884.]

A RESOLUTION

GRANTING A FRANCHISE TO, AND AUTHORIZING THE MAYOR AND
RECORDER OF SALT LAKE CITY TO SIGN A CONTRACT WITH
THE SALT LAKE AND FORT DOUGLAS RAILWAY COMPANY.

Franchise to Salt Lake and Fort Douglas Railway Co.

Be it Resolved by the City Council of Salt Lake City: That the Salt Lake and Fort Douglas Railway Company, its successors and assigns, have a perpetual right of way over and along the following described land and premises, to construct, maintain, and operate a two or three-railed steam railway from a point commencing on the west bank of said canal, about thir-

teen (13) rods east, and seventy-two (72) rods south of the northwest corner of the northeast quarter of section eight (8), township one (1) south, range one (1) east, Salt Lake meridian, in Salt Lake County, Utah Territory, and running thence southerly on and over the right of way of said canal, and on the westerly embankment thereof, through the east half ($\frac{1}{2}$) of section seventeen (17), said township and range, and thence along said canal into the northeast quarter of section twenty (20) of said township and range to a point about one thousand (1,000) feet south of the penitentiary road, on the terms and conditions contained in the following agreement, to-wit :

This agreement, made and entered into on this ... day of,.... in the year of our Lord, one thousand, eight hundred and eighty-seven, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of the Territory of Utah, and hereinafter designated as "said city," party of the first part, and the Salt Lake and Fort Douglas Railway Company, a railway corporation of Utah Territory, hereinafter designated as "said railway company," party of the second part, witnesseth :

That whereas, the said railway company is about to construct and operate a railway to carry passengers and freight for hire, and for this purpose has applied to said city for a right of way over and along the west bank of the Jordan and Salt Lake City canal, and for the privilege of laying tracks and running cars thereon, and the said city has granted said application on the terms and conditions following, to-wit :

Now, therefore, in consideration of the sum of six thousand (\$6,000) dollars, in hand, paid to said city by said railway company, the receipt whereof is hereby acknowledged, and of the covenants and agreements made by the said railway company, and hereinafter contained, said city has, subject to the conditions and restrictions hereinafter provided, granted, sold and extended, and by these presents does grant, sell and convey, unto the said railway company, so far as it has the legal right so to do without forfeiting, or in any way impairing its title to any of the premises hereinafter described, or its right to the use thereof for the purposes for which they are now used by said city, the right of way for the construction and operation of a two or three-railed steam railway, on and over the right of way

for a canal owned by said city, and on and over the westerly embankment of said city's canal, through the following lands, to-wit: Commencing at a point on the west bank of said canal about thirteen (13) rods east, and seventy-two (72) rods south of the northwest corner of the northeast quarter of section eight (8), township one (1) south, range one (1) east, Salt Lake meridian, in Salt Lake County, Utah Territory, and running thence southerly, on and over the right of way of said canal, and on the westerly embankment thereof, through the east half ($\frac{1}{2}$) of section seventeen (17), said township and range, and thence along said canal into the northeast quarter of section twenty (20) of said township and range, to a point about one thousand (1,000) feet south of the penitentiary road.

The right of way hereby granted is of sufficient width to construct, maintain and operate a railway, and for access to and along the same with teams and men to repair and keep the said railway in good condition; *Provided*, that in the construction, maintenance and operation of said railway, the right to and maintenance and operation of said canal shall in no wise be impaired or infringed upon.

In consideration whereof, the said railway company hereby agrees, for itself, its successors and assigns, that its railway shall be completed within six months from the date of the signing of this agreement, and shall be constructed at such a height and grade on the bank of said canal as not to impair the embankment for canal purposes, nor to in any way interfere with, infringe upon or impair the right of said city to maintain, operate and control said canal; also that it will from time to time, as it may be needed, fill up the grade of its road so as to repair natural settlings and gradual degradations or wear and waste, and that it will maintain the embankment at a height suitable for canal purposes. That should said embankment, where used by said railway company, be impaired or carried away by high water, floods, cloudbursts or underground leakage or other defects arising from such causes, the same shall be repaired by said railway company at its own expense, and said railway company shall keep the bank of said canal occupied by it in good condition, free from weeds and other obstructions; and the construction of said railway shall be under

the supervision of the mayor and city surveyor, whose duty shall be to see that no damage shall be done to said canal during the construction of said railway, and to locate the roadway thereof on the most suitable place on the bank of said canal.

That in case the said city should at any time desire to enlarge said canal or in any way change the location of the bed or bank of the same, said railway company will change its track to conform to such enlargement or change of location, so as not to interfere with the free use and operation of said canal.

That whenever, by the cleaning or repairing of said canal along the route hereinbefore described, there shall be accumulated on the west bank thereof any dirt, sediment or other obstruction, said railway company shall remove and carry away the same at its own expense.

That in the construction, maintenance and operation of said railway along the bank of the canal as aforesaid, the capacity of said canal shall not be lessened; and if, by the gradual sinking of the earth on account of said railway, said canal shall be in any way injured or its capacity lessened, said railway company shall place the same in good condition immediately upon proper notice thereof given it by any agent or officer of said city, and the making and easing of curves on said railway must be made on the outer side of the canal embankment.

That in the construction of all bridges by said railway company along said canal, where the railway crosses other streams, the same shall in no case touch the flumes of the said canal, but shall be constructed at such distance therefrom as to prevent any injury to the same.

That said company will keep in repair all irrigation flumes and waterways and all boxes under its track along the bank of said canal, and shall put in and maintain good plank crossings opposite all bridges crossing said canal along the line of its track.

That said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employés, or for any damage that may occur by reason of the construction, maintenance or operation of said railway upon and

along the banks of said canal; and the said railway company covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of the construction, maintenance and operation of said railway, or arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, cost, expense or damage of any kind it may sustain by reason of any such construction, maintenance, operation, default, misconduct, accident or injury; and if any judgment for damages arising from such construction, maintenance or operation of said railway, or for any such default, misconduct, accident or injury, shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be hereunto affixed by order of the city council of said city, and the president of said The Salt Lake and Fort Douglas Railway Company has hereunto set his hand and caused the corporate seal of said company to be hereto affixed by order of the board of directors of said company. Done in duplicate the day and year in this agreement first above written. . Attested by the recorder of said city and by the secretary of said company.

And be it further Resolved, that the mayor of Salt Lake City be, and is hereby, authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

[November 8, 1887.]

A RESOLUTION

GRANTING A FRANCHISE TO AND AUTHORIZING THE MAYOR AND RECORDER OF SALT LAKE CITY TO SIGN A CONTRACT WITH "THE SALT LAKE AND FORT DOUGLAS RAILWAY COMPANY."

Franchise to Salt Lake and Fort Douglas Railway Co.

Be it Resolved by the City Council of Salt Lake City: That "The Salt Lake and Fort Douglas Railway company," its successors and assigns, have a right of way, for the period of twenty years, over and along the following-named streets of said city, to construct, maintain, and operate a two or three-railed steam railway, from a point connecting with said railway company's track at the intersection of Eighth South and Fourth West streets, north along said Fourth West street to the Utah Central Railway depot, between North and South Temple streets, on the terms and conditions contained in the following agreement, to-wit:

This agreement, made and entered into this.....day of.....in the year of our Lord one thousand eight hundred and eighty-eight, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of Utah Territory, party of the first part, and hereinafter designated as "said city;" and The Salt Lake and Fort Douglas Railway company, a railway corporation of Utah Territory, hereinafter designated as "said railway company," party of the second part, witnesseth:

WHEREAS, The said railway company is about to construct and operate through the streets of Salt Lake City a railroad to carry passengers and freight for hire, and for this purpose has applied to said city for a right of way over and along its streets and highways, and for the privilege of laying tracks and running cars thereon, and the said city has granted said application for a period of twenty years to said railway company on the terms and conditions following, to-wit:

First—In consideration of the covenants and agreements

made by the said railway company, and hereinafter contained, said city has granted, given and extended, and by these presents does grant, give and extend unto the said railway company a right of way and transit, and a right to build, own, maintain and operate a two or three-railed steam railway, with power to move cars thereon from a point connecting with said railway company's track at the intersection of Eighth South and Fourth West streets, north along said Fourth West street to the Utah Central railway depot, between North and South Temple streets, with necessary and convenient side tracks and spurs to enable said railway company to connect with the Utah and Nevada railway, with the Utah Central railway, and with the Denver and Rio Grande Western railway; side tracks, spurs and changes in location of track to be made only by consent and with the approval of the city council of said city; *Provided*, that no freight shall be loaded or unloaded except at the terminal points or depots of said railway.

In consideration whereof, the said railway company has agreed for itself, its successors and assigns, and by these presents does agree for itself, its successors and assigns:

First—That all tracks laid by said railway company shall be in the center of the streets, except where it is necessary to make curves in connecting with the said Utah and Nevada railway, with the Utah Central railway, with the Denver and Rio Grande Western railway and with the said railway company's depot grounds; and no tracks shall be laid upon any sidewalk except to enter or leave the block to which it is adjacent.

Second—That the said railway company's tracks shall be laid upon and conform to the established grade of the street upon which they run, and if such grade is afterwards changed by order of the city council, said railway company shall, at its own expense, change its track to conform to the same, and shall keep the road ballasted with gravel to within two and a half inches of the top of the rails.

Third—That the said railway company shall gravel and maintain in good condition, at the established grade, the street along which the track runs, for a distance of forty feet on each side of said railway, subject to the approval of the supervisor of streets, said improvements to be made within one year after

the date of this agreement, and said railway company shall have permission to take gravel for said purpose from the city gravel block, free of charge.

Fourth—That said track shall, without cost to the said city, be kept and maintained in good condition and repair along its entire length, and the whole space between the rails and one foot on each side thereof shall be kept paved or ballasted of the same material as the street traversed, and made to conform to the established grade thereof. Said railway company shall put in, and maintain, to the acceptance of the supervisor of streets, stone or plank crossings between the rails and one foot on the outside of the rails for the entire width of each and every street crossed by it on said Fourth West street, and the top surface of said stone or planks shall be on a level with the top of the rails.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said street, on which it is laid. And the said railway company shall comply with the direction of said city in the construction of its line, and in the operation of the same within the limits of said city, when it does not interfere with the points of special agreement as herein set forth.

Sixth—The rate of speed at which trains, engines, or cars shall be run through said city shall not exceed eight miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient conduits to convey the water shall be laid and maintained in good condition at the expense of said railway company, at all water ditches crossed by said railway, so as to admit of a free passage of the water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon, and a standard headlight shall be placed on the front of such engine, car or train.

Ninth—That said railway company shall place on said railway passenger cars with all necessary modern improvements, for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, and under such regulations as the city council may from time to time prescribe.

Tenth—That the provisions of the tenth article of a “Resolution granting a franchise to, and authorizing the mayor and recorder of Salt Lake City to sign a contract with the Salt Lake and Fort Douglas Railway Company,” adopted September 23d, 1884, shall also be applicable to this franchise and considered as a part hereof; *Provided*, that the amount of gravel required to be hauled over this road shall not exceed fifty tons per day, or in the aggregate seventeen thousand tons per annum, and the gravel mentioned therein to be hauled by said railway company for said city, or part thereof, shall, when directed by the proper officers or agents of said city, be transported by said railway company over and along the whole or any part of said railway company’s line on said Fourth West street, free of charge to said city, and delivered at such point on the line of said road as its officers or agents may direct.

Eleventh—Said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employés; and the said railway company, for itself, its successors and assigns, covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

Twelfth—The construction of said railway to commence within sixty days after the signing of this agreement, and said railway shall be completed within ninety days from said date.

Thirteenth—The said railway company, its successors and assigns, hereby binds itself to comply with all the stipulations hereof. That if the said grantee, its successors and assigns, shall fail to keep and perform all the stipulations of this agree-

ment, the city council, after sixty days' notice, and on failure of the company to provide a remedy or make satisfactory arrangements therefor, may declare this agreement null and void, and proceed to take possession of the road-bed and remove or control the same, as if this agreement had not been made.

Fourteenth—That in the construction and operation of said railway, the said party of the second part and its successors and assigns shall at all times conform to all ordinances, rules and regulations that have been, or may hereafter be, adopted by the city council of said city in relation to operating railroads, and to all other ordinances, rules and regulations applicable thereto. And the right of the city council of said city to alter and amend the conditions and provisions of this franchise, whenever in its judgment the public good may require such changes or amendments, is hereby expressly reserved.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be hereunto affixed, by order of the city council of said city; and the president of said "The Salt Lake and Fort Douglas Railway Company" has hereunto set his hand and caused the corporate seal of said company to be hereunto affixed, by order of the board of directors of said company. Done in duplicate, the day and year in this agreement first above written. Attested by the recorder of said city and by the secretary of said company.

And be it further Resolved, That the mayor of said Salt Lake City be, and is hereby, authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

[November 13, A. D. 1888.]

A RESOLUTION

GRANTING A FRANCHISE TO AND AUTHORIZING THE MAYOR AND RECORDER OF SALT LAKE CITY TO SIGN A CONTRACT WITH THE UTAH WESTERN RAILWAY COMPANY.

Franchise to Utah Western Railway Company.

Be it Resolved by the City Council of Salt Lake City: That the Utah Western Railway company, its successors and assigns, have a right of way for a period of twenty years, over and along the following-named streets of said city to construct, maintain and operate a two or three-railed steam railway from a point connecting with the tracks laid under the franchise of the Salt Lake and Fort Douglas Railway company at the intersection of North Temple street and Fourth West street, north along said Fourth West street on the west side of the Oregon Short Line and Utah and Northern railway to Fifth North street, thence in a northwesterly direction to Ninth North street at a point immediately west of the right of way of the said Oregon Short Line and Utah and Northern railway, across the intervening streets of said city, and thence west on said Ninth North street to the west bank of the Jordan river, on the terms and conditions contained in the following agreement, to-wit:

This agreement, made and entered into this.....day of.....A. D. 1889, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of Utah Territory, party of the first part, and hereinafter designated as "said city," and the Utah Western Railway company, a corporation of Utah Territory, and hereinafter designated as "said railway company," party of the second part, *Witnesseth:*

WHEREAS, The said railway company is about to construct and operate through the streets of Salt Lake City, a railroad to carry passengers and freight for hire, and for this purpose has applied to said city for right of way over and along its streets and highways and for the privilege of laying tracks and running cars thereon, and the said city has granted said application for

a period of twenty years to said railway company on the terms and conditions following, to-wit:

First—In consideration of the covenants and agreements made by the said railway company, and hereinafter contained, said city has granted, given and extended, and by these presents does grant, give and extend unto the said railway company a right of way and transit, and a right to build, own, maintain and operate a two or three-railed steam railway with power to move cars thereon from a point connecting with the tracks of the Salt Lake City and Fort Douglas Railway company, at the intersection of North Temple street and Fourth West street, north along said Fourth West street, on the west side of the Oregon Short Line and Utah and Northern railway, to Fifth North street, thence in a northwesterly direction to Ninth North street, at a point immediately west of the right of way of said Oregon Short Line and Utah and Northern railway, across the intervening streets of said city, and thence west on said Ninth North street to the west bank of the Jordan river.

In consideration whereof, the said railway company has agreed for itself, its successors and assigns, and by these presents does agree for itself, its successors and assigns:

First—That all tracks laid by this company on streets occupied by the Oregon Short Line and Utah and Northern railway shall be laid at a proper distance from and parallel with the tracks of said last-named railway; and on Ninth North street said track shall run in the center of the street, but the said Utah Western Railway company shall have a right to make necessary curves to connect with said Oregon Short Line and Utah and Northern railway and with the Rio Grande Western railway, but no tracks shall be laid upon any sidewalk, except where it necessarily crosses the same.

Second—That said railway company's tracks shall be laid upon and conform to the established grade of the street upon which they run, and if such grade is afterwards changed by order of the city council, said railway company shall, at its own expense, change its track to conform to the same, and shall keep the road ballasted with gravel to within two and a half inches of the top of the rails.

Third—That the said railway company shall gravel and

maintain in good condition, at the established grade, the streets along which its track runs, for a distance of thirty (30) feet on each side of said railway track, where there is no other railway on said street, and thirty (30) feet on the outer side of the track where there is another railway on the street, subject to the approval of the supervisor of streets; said improvements to be made within one year after the date of this agreement.

Fourth—That said track shall, without cost to said city, be kept and maintained in good condition and repair along its entire length, and the whole space between the rails and two feet on each side thereof shall be kept paved or ballasted of the same material as the street traversed, and made to conform to the established grade thereof. Said railway company shall put in and maintain, to the acceptance of the supervisor of streets, stone or plank crossings between the rails and one foot on the outside of the rails, for the entire width of each and every street crossed by it, and the top surface of said stone or planks shall be on a level with the top of the rails.

Fifth—That the said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of the streets on which it is laid. And the said railway company shall comply with the direction of the city in the construction of its line, and in the operation of the same within the limits of said city, when it does not interfere with the points of special agreement as herein set forth.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed twelve miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient conduits to convey the water shall be laid and maintained in good condition at the expense of said railway company at all water ditches crossed by said railway company, so as to admit of a free passage of the water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon and a standard head light shall be placed on the front on such engine, car or train.

Ninth—That said railway company shall place on said railway passenger cars with all necessary modern improvements for

the convenience and comfort of passengers, which shall be run thereon, each and every day, both ways, as often as the public convenience may require, and under such reasonable regulations as the city council may from time to time prescribe.

Tenth—Said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employés, and the said railway company for itself, its successors and assigns covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay the said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

Eleventh—The construction of said railway to commence within ninety days after the signing of this agreement and be completed within six months from said date.

Twelfth—The said railway company, its successors and assigns, hereby binds itself to comply with all the stipulations hereof. That if the said grantee, its successors and assigns, shall fail to keep and perform all the stipulations of this agreement, the city council, after sixty days' notice, and on failure of the company to provide a remedy or make satisfactory arrangements therefor, may declare this agreement null and void, and proceed to take possession of the road-bed and remove or control the same as if this agreement had not been made.

Thirteenth—That in the construction and operation of said railway, the said party of the second part, its successors and assigns, shall at all times conform to all ordinances, rules and regulations that have been or may hereafter be adopted by the city council of said city in relation to operating railroads, and

to all other ordinances, rules and regulations applicable thereto. And the right of the city council of said city to reasonably alter and amend the conditions and provisions of this franchise, whenever in its judgment the public good may require such changes or amendments, is hereby expressly reserved.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be affixed, by order of the city council of said city, and the president of said Utah Western Railway company has hereunto set his hand and caused the corporate seal of said company to be affixed by order of the board of directors of said company. Done in duplicate, the day and year in this agreement first above written, and attested by the recorder of said city and by the secretary of said company.

Be it further Resolved, that the mayor of said city be and he is hereby authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

[October 29, 1889.]

A RESOLUTION

GRANTING A FRANCHISE TO THE GREAT SALT LAKE AND HOT SPRINGS RAILWAY COMPANY.

Franchise to Great Salt Lake and Hot Springs Railway Company.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Great Salt Lake and Hot Springs Railway company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct, maintain and operate a single or double-track standard-gauge railway, as hereinafter specified, to be operated by steam, electric or cable power, with all the necessary or convenient switches, side-tracks, turnouts and cross-over tracks, on the following streets and roads of Salt Lake City, to-wit:.

A single track commencing at a point in Third West street, 330 feet south of the south line of North Temple street, and running thence north along said Third West street to Fifth North street; also a single or double track between Fifth North and Ninth North street, together with two single tracks, switches or turnouts, in the form of a Y, easterly from said track across the sidewalk of said Third West street to the premises described as the north one-half ($\frac{1}{2}$) of lot four (4) in block eighty-four (84), plat A, Salt Lake City survey. Also a single or double track beginning at the south boundary line of Oak street of Folsom's addition, at a point opposite an alley between lot one (1) and thirty-eight (38) of block seventeen (17) of said addition; thence northerly across said Oak street and along the alleyway last aforesaid, and across Chestnut street, and along the alleyway running through block sixteen (16) of said addition to Cleveland avenue; thence northerly along Cleveland avenue and the county road thirteen hundred and twenty (1320) feet to a point on the westerly boundary line of said county road.

On the following conditions, viz:

First—That all tracks laid by said grantee, its successors or assigns, shall be in the center of the streets, unless otherwise directed by the city council, and in such manner as may be approved by the city council, and upon such streets as are but four rods wide only one track shall be laid, except by permission of the city council.

Second—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if said grade is afterward changed by order of the city council, said grantee, its successors or assigns, shall, at its own expense, change the track to conform to the same, and shall keep the road ballasted with gravel to within one and one-half inches of the top of the rails; *Provided*, that whenever any of the streets along which the said railway is built shall be paved, then said grantee, its successors or assigns, shall pave between the rails, and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Third—The said grantee, its successors or assigns, shall gravel and maintain in good condition, at the established grade,

the streets along which the track runs for a distance of twenty-five feet on each side of the outer rails, subject to the approval of the supervisor of streets.

Fourth—Said grantee, its successors or assigns, shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once, upon construction of their said road, put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid. And said grantee shall comply with the direction of said city council in the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour; and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantee, at all the water ditches crossed by said railway, so as to admit of the free passage of water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—Said City of Salt Lake shall in no way be liable or responsible for any accident or damage that may occur on said road by reason of the default or misconduct of said railway company or its employes. And the said grantee, its successors and assigns, covenant and agree to save the said city harmless from and against any liability, loss, cost or expense, or damage of any nature arising out of the default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railroad; and to indemnify and repay said city for any loss, cost or expense, or damage of any kind which may be sustained by reason of any such default, misconduct, accident or danger; and if any judgment for damages for

any loss, default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between said city and said grantee, its successors or assigns, and conclusive as to the liability of the latter to the former.

Tenth—That whenever the city council shall find it necessary or desirable to grant to any other steam railroad company a franchise over any of the streets herein granted, the grantee herein shall allow running arrangements over grantee's tracks to such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Eleventh—That the said railway and its successors and assigns shall at no time use the streets herein granted for storage of cars nor depot purposes, nor shall any locomotive or freight car be run or allowed to remain upon any part of Third West street south of the middle line of block 84, plat A, aforesaid. And they shall, whenever so required by the city, carry, free of charge, all materials necessary for repairing the streets on and over which this franchise is granted.

SEC. 2. That this franchise is granted for the term of twenty-five years from the date of the passage of this resolution, and accepted on the following conditions, viz: That if the grantee, its successors and assigns, shall fail to perform any one or all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy, or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the roadbed, and control the same as if this resolution had not passed.

SEC. 3. In consideration of this grant and franchise, said grantee shall, within four months after the date of the passage of this resolution (unless granted further time by the city council), begin the actual construction of a broad-gauge railway to the west from Salt Lake City, and construct and put in operation five miles thereof, within twelve months; *Provided*, that in the construction and operation of said railway, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may

hereafter be adopted by the city council of said city in relation to operating railroads.

SEC. 4. In consideration of the granting and accepting this franchise, all former franchises granted to the Great Salt Lake and Hot Springs railway are hereby annulled.

SEC. 5. That if this grant, with the conditions herein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, then the said franchise shall become null and void.

[October 18, 1892.]

AN ORDINANCE

GRANTING A RIGHT OF WAY THROUGH CERTAIN STREETS OF SALT LAKE CITY FOR A RAILROAD TO THOMAS P. MURRAY, HIS SUCCESSORS AND ASSIGNS.

Franchise to T. P. Murray.

SECTION 1. *Be it Ordained by the City Council of Salt Lake City:* That Thomas P. Murray, his successors and assigns, have the authority and consent of the city council, and the permission is hereby granted, to construct and operate a single track, standard gauge railroad, together with all the necessary switches for the accommodation of said road, to propel thereon cars by steam power on the following streets of said city:

Commencing at the eastern city limits on Tenth or Roper street, running thence west to the city canal; thence northwest along the east bank of said canal to Eighth South street; thence west along said Eighth South street to Fifth West street; thence north on Fifth West street to Fifth South street; thence west on Fifth South street to the city limits.

First—That all tracks laid by said grantee shall be in the center of the streets, unless otherwise directed by the city council, and in such a manner as may be approved by the city council.

Second—That all of said railway tracks shall be laid upon, and conform to the established grade of the several streets upon which they run, and if said grade is afterwards changed by order of the city council, said grantee shall at his own expense, change the track to conform to the same, and shall keep the road ballasted with gravel to within one and one-half inches of the top of the rails, provided that whenever any of the streets along which the said railway is built shall be paved then said grantee, his successors and assigns, shall pave between the rails and for a space of two feet outside of each rail with the same material as that used in the street pavement.

Third—That said grantee shall gravel and maintain in good condition at the established grade, the streets along which the track runs for a distance of twenty feet on each side of the outer rails, subject to the approval of the supervisor of streets. Said improvements to be made as follows: One-half within one year, and the other half within eighteen months after the commencement of the building of said road.

Fourth—Said grantee shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once upon construction of their said road put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid. And said grantee shall comply with the directions of said city in the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantee, at all the water ditches crossed by said railway, so as to admit of the free passage of water.

Eighth—If engines, trains or cars are run at night, a red

light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—Said City of Salt Lake shall in no way be liable or responsible for any accident or damage that may occur on said road by reason of the default or misconduct of said railway company or its employés. And the said grantee, his successors and assigns, covenant and agree to save the said city harmless from and against any liability, loss, cost, or expense or damage of any nature, arising out of the default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railroad ; and to indemnify and repay said city for any loss, cost or expense, or damage of any kind which may be sustained by reason of any such default, misconduct, accident or danger, and if any judgment for damages for any loss, default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between said city and said grantee, his successors and assigns, and conclusive as to the liability of the latter to the former.

Tenth—The construction of said railway to commence within ninety days after the passage of this ordinance, and said railway shall be completed and the same equipped in first-class manner, and cars running thereon from the city limits west to the Deep Creek mining country twelve months after the passage of this ordinance.

Eleventh—That whenever the city council shall find it necessary or desirable to grant to any other steam railroad company a franchise over any of the streets herein granted, the grantee herein shall allow running arrangements over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 2. That this franchise is granted for the full term of twenty years from and after the passage of this ordinance.

SEC. 3. That if the grantee, his successors and assigns, shall fail to keep and perform all the stipulations of this ordinance, or shall fail or refuse to comply with all the rules, regu-

lations and ordinances of Salt Lake City relating to railroads and the running of the same within the city limits, which are now enacted or which shall hereafter be enacted, then the city council, after sixty (60) days' notice, and on failure on the part of the said grantee to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the said road and control the same, as if this ordinance had not been passed.

SEC. 4. If this grant, with the terms and conditions herein appended, be not accepted in writing by the grantee within sixty (60) days after the passage of this ordinance, the same shall be void, and of no effect.

SEC. 5. This ordinance shall take effect from its passage.
[November 10, 1891.]

CHAPTER XXXVI.

RECORDER.

Duty of Recorder—Records and Seal.

SECTION 1. It shall be the duty of the recorder to keep the records, papers and seal of said city, and record, in order of date, all ordinances and resolutions passed by the city council, in a book to be kept for that purpose. He shall keep in a separate book a record of the proceedings of said council.

[January 4, 1859; February 4, 1888.]

Pay Over Money—Oaths and Bonds.

SEC. 2. The recorder shall pay over all moneys belonging to the city, and coming into his hands by virtue of his office, to the treasurer. He shall have power to administer oaths and receive and approve bonds. He shall deliver to his successor in office the corporate seal, together with all the records and proceedings of the city council, and all books or other property in his possession belonging to said city.

[January 4, 1859; February 4, 1888.]

CHAPTER XXXVII.

REPORTS.

Reports to Be Made to Mayor Annually.

SECTION 1. The recorder, treasurer, marshal, police justice, assessor and collector of water rates, attorney, auditor of public accounts, board of public works, board of public health, chief of police, chief of fire department, city engineer, city physician, health commissioner, inspector of buildings, inspector of provisions, jailer, pound-keeper, sealer of weights and measures, sanitary inspector, sexton, superintendent of sewers, superintendent of water works, supervisor of streets, watermaster and weighmaster shall, on or before the first meeting of the city council in January in each year, make an annual report, in writing, to the mayor, which reports shall show for each department: First—The moneys received and disbursed, if any, during the year last past. Second—The business done or labor performed by said department during the preceding year, and the general condition of such department at the close thereof. Third—Such recommendations or suggestions as may be deemed of service and benefit for the welfare of the city. Such reports shall comprise, in a consolidated form, and for the whole year, the substance of the quarterly or other reports required by other provisions of these revised ordinances. The reports herein provided for, or portions thereof, as may be deemed necessary by the mayor, shall, with his own annual report, giving a general summary of the city's business and condition, and such recommendations as he may consider advisable, be submitted to the city council on or before the first day of February in each year.

[February 14, 1888.]

CHAPTER XXXVIII.

SALARIES.

The Salaries Fixed.

SECTION 1. The salaries of the city officers and employés of Salt Lake City be and the same are hereby fixed as follows for the term of office to which each of them may have been elected or appointed, to-wit:

Assessor and collector to be fixed each year on his making return of assessment roll.

Assessor and collector's chief clerk, \$1,800 per year.

Assessor and collector's assistant clerk, if necessary, \$100 per month.

Assessor and collector of water rates, \$1,800 per year.

Deputy assessor and collector of water rates, \$75 per month.

Attorney, \$3,000 per year.

City attorney's assistant, \$1,500 per year.

Auditor, \$1,800 per year.

Auditor's deputy, \$125 per month.

Board of health, each member (exclusive of mayor, health commissioner and city physician) \$5.00 for each meeting attended.

Clerk of board of health, \$75 per month.

City physician, \$1,000 per year.

Health commissioner, \$125 per month.

Board of public works.

Chairman, \$1,500 per year.

Each member, other than the chairman, \$250 per year.

Clerk of the board, \$75 per month.

Chief of fire department, \$2,000 per year.

Assistant chief, \$120 per month.

Engineers of steamers, each \$105 per month.

Captains, each \$100 per month.

Secretary, \$100 per month.

Drivers, \$90 per month.

Tillerman, \$90 per month.

Relief drivers, pipemen, laddermen and stokers, each \$85 per month.

Electrician, \$25 per month.

Call men, \$2.85 a day, for each day of actual service.

Chief of police, \$1,800 per year.

Captain of police, \$120 per month.

Duty sergeants, each, \$110 per month.

Mounted police, each, \$110 per month.

Patrolman, first year, \$90 per month.

Patrolman, second year, \$100 per month.

Special policeman, \$3 per day.

Liberty park policeman, \$3 per day.

Desk sergeant, first year, \$90 per month.

Desk sergeant, second year, \$100 per month.

Councilmen, \$250 per year, \$5 additional for each special meeting, and \$5 a week for committee work.

County—In the year 1893, and annually thereafter, one-half of one per cent. on the taxes collected for the city by the county collector, which shall be in full for the services and compensation of the county assessor and the county collector.

Engineer, \$3,000 per year.

First assistant engineer, \$150 per month.

Second assistant engineer, \$125 per month.

Chief draughtsman, \$125 per month.

Assistant draughtsman, \$100 per month.

Two rodmen, \$75 per month each.

Two chainmen, \$65 per month each.

One inspector of sewers, \$140 per month.

One clerk, \$100 per month.

Engineer steam road roller, \$100 per month during actual service.

Inspector of buildings, fees as provided in section 13, chapter 9.

Inspector of provisions, \$100 per month.

Jailer.

Jailer's assistant, \$90 per month.

Janitor of city hall, \$75 per month.

Marshal, \$600 per year.

Mayor, \$2,500 per year.

Mayor's clerk, \$60 per month.

Park-keeper, \$100 per month.

Police justice, \$1,500 per year.

Police court clerk, \$1,200 per year.

Pound-keeper, fees as provided in section 13, chapter 15.

Recorder, \$2,400 per year.

Recorder's deputy, \$1,200 per year.

Recorder's clerk, \$1,000 per year.

Recorder's typewriter and office boy, \$600 per year.

Recorder's deputy, who acts as collector of dog taxes, one-half collections and fees as provided in section 3, chapter 12.

Sanitary inspector, \$125 per month.

Sealer of weights and measures, fees as provided in section 4, chapter 40.

Sexton, \$1,200 per year and commission of 20 per cent. on all sales of burial lots in the city cemetery.

Superintendent of sewers, \$2,000 per year.

Engineer of sewer pump, \$100 per month during actual service.

Assistant engineer of sewer pump, \$75 per month during actual service.

Superintendent of waterworks, \$2,000 per year.

Supervisor of streets, \$2,000 per year.

Treasurer, \$2,400 per year.

Deputy treasurer, \$125 per month.

License inspector, \$1,000 per year.

Watermaster, \$2,000 per year.

Watermaster's foremen, \$900 per year each.

Weighmaster, chief and city fees as provided in sections 1 and 8, chapter 56.

[April 1, 1890; May 20, 1890; May 29, 1890; June 17, 1890; August 26, 1890; October 21, 1890; April 10, 1891; February 17, 1891; May 6, 1892.]

To Be Paid Monthly.

SEC. 2. Such salaries as are fixed by the year, month or day shall be paid in equal monthly installments out of the city treasury at the end of each month, and the salaries herein fixed shall remain as the salaries of the officers and employés herein named until changed by the city council.

[May 6, 1892.]

CHAPTER XXXIX.

SEAL OF SALT LAKE CITY.

Description of Seal.

SECTION 1. That the seal heretofore provided and used by and for Salt Lake City, one and five-eighths inches in diameter, the impression of which is a representation of a lamb in the center, with the inscription "Salt Lake City Seal, U. T." around the outer edge thereof, shall be and is hereby established, and declared to have been, now is, and hereafter to be, the seal of Salt Lake City.

[June 9, 1860.]



CHAPTER XL.

SEALER OF WEIGHTS AND MEASURES.

Duty of the Sealer.

SECTION 1. The sealer of weights and measures shall, twice every year, at intervals not exceeding six months, and oftener if required, examine and test the accuracy of all weights, measures, scales, or other things used by merchants and others for weighing and measuring anything bought or sold by them; he shall stamp with a suitable seal, to be prescribed by the mayor, all weights, measures and scales so used, which he may find conformed to, or which he may cause to conform to, the standard prescribed by the laws of the Territory, and shall deliver to the owner thereof a certificate of the accuracy of such weights and measures as shall be found to be or shall be rendered correct.

[January 4, 1859; February 14, 1888.]

Record—False Weights—Report to Recorder.

SEC. 2. It shall further be his duty to register the names of all persons whose weights, measures or scales he may find to be accurate or may cause to be rendered accurate, and of all persons who fail to have the same corrected when found to be incorrect. He shall seize, in the name of the city, all false weights, measures and scales which he may find, and which the owner shall fail to have made conformable to the provisions of this chapter, without delay, and shall immediately report such persons to the mayor; he shall also further report, in writing, every six months, to the city recorder, the names of the owners and the number of weights, measures and scales examined and found by him to be correct.

[January 4, 1859; February 14, 1888.]

Weights to Be Tested—False Weights.

SEC. 3. All persons using weights, measures, scales, or other things for weighing or measuring any article bought or sold in this city, shall cause the same to be examined, tested and sealed as hereinbefore provided, and any person failing so to do shall be liable to pay a fine of not less than one nor more than fifty dollars for each offense. Any person using any false weights, measures, scales, or other things for weighing or measuring any article bought or sold in this city, shall be liable to a fine of not to exceed one hundred dollars.

[January 4, 1859; February 14, 1888.]

Fees.

SEC. 4. The sealer of weights and measures shall be entitled to receive for each examination, testing, sealing and certifying, as hereinbefore required, the following fees, which shall be collected from the owner or owners of the weights, measures, scales or other articles inspected :

Any steelyards, or beam, ground, floor, platform, counter or other scales by which may be weighed not exceeding two hundred and sixty pounds.....	\$0.25
Any such instrument by which may be weighed over two hundred and sixty and less than six hundred pounds,	.50
Over six hundred and less than twelve hundred pounds,	.75
Over twelve hundred pounds.....	1.00
For any yard stick, dry or liquid measure.....	.10
Any nest or set of measures.....	.25

And the weights attached to any scale shall, as to the compensation of the sealer of weights and measures, be considered a part of the scales; *Provided*, that where any such weight, measure or instrument, previously inspected, shall, upon subsequent examination, be found correct, and shall not be required to be stamped a second time, the aforesaid sealer of weights and measures shall not receive any compensation therefor.

[January 4, 1859.]

Extra Compensation—Lien on Article.

SEC. 5. The sealer of weights and measures shall examine and test any of the before mentioned instruments for weighing

or measuring, on application by any person who shall tender to him the fee which, by the preceding section, he is authorized to receive, and he shall, in every case where he may employ labor or material in making accurate any weight or measure, be entitled to extra compensation therefor, and to retain the article upon which such labor or material has been employed until such compensation be paid.

[January 4, 1859.]

CHAPTER XLI.

SEWERS.

Duty of the City Council.

SECTION 1. Whenever the city council shall deem it expedient or necessary to construct or repair any sewer, sewers or drains, said council shall determine the character, quality, extent and location of such improvements, determine and define the boundaries of the district or division of the city where such sewer, sewers or drains are to be constructed or repairs are to be made, and the property specially to be benefited or affected by the same; the council shall determine whether the whole, or if not, what proportion, of the cost of such improvement shall be defrayed by local assessment, by an order entered of record by said council.

[May 27, 1892.]

Engineer to Make Estimate of Cost.

SEC. 2. The city engineer shall make an estimate of the probable cost of such improvement, and shall report the same

to the city council when completed; such estimate shall show the cost of such improvement per front foot or square foot of the blocks, lots, or parts thereof, and lands affected or benefited by such improvements.

[May 27, 1892.]

Notice of Intention.

SEC. 3. The city council shall then give a notice of its intention to make the improvement and defray the expenses thereof, in whole or in part, by local assessment, as the city council shall have previously determined, describing the proposed improvement, the boundaries of the district or division, or the part thereof to be improved and assessed, and to be affected and benefited by the same, the estimated cost thereof, and designating the time in which the abutting property owners may protest against such improvement, by a notice to be published at least twenty days in a newspaper published and having a general circulation within the city, which notice shall be substantially in the following form:

Notice is hereby given by the city council of Salt Lake City of the intention to make the following described improvement, to-wit:..... and defray the.....of the cost thereof, estimated at \$.....by a local assessment on the blocks, lots, parts of lots and pieces of ground within sewer district No....., being the property, lots, parts of lots and pieces of ground in said district to be affected or benefited by said improvement, namely:.....

All protests and objections to the carrying out of such intention to make said improvement must be presented in writing to the city recorder on or before the.....day of....., 189.., being the time set by the said council when it will hear and consider such objections as may be made thereto.

By order of the city council of Salt Lake City, Territory of Utah.

[May 27, 1892.]

Objections—Board of Equalization.

SEC. 4. After the expiration of the twenty days' publication aforesaid, the city recorder shall report to the city council

as to whether or not written objections to such improvements, signed by the owners of one-half of the front foot of the property abutting on that portion of the street, lane, avenue or alley, or of the property through which such sewer or drain is to be constructed or repaired, and if it appear from said report that the owners of one-half of such property have not protested against the making of such improvements, the council shall be deemed to have acquired jurisdiction to order the making of such improvements, and may proceed to fix a day when they will sit as a board of equalization, by giving public notice of the time of such sitting in some newspaper published in this city for at least five days before the day so fixed. If the council determines to proceed with the improvement, it shall make an order, which shall be entered on the record of its proceedings, authorizing and directing the work to be done and improvements made, under the supervision of the board of public works, and shall thereupon, sitting as a board of equalization, apportion and assess the cost of the improvements or the part thereof as specified in the notice upon the blocks, lots, or parts thereof, and pieces of land embraced within the district or part of the district to be improved, such apportionment to be in accordance with the square foot, front foot or otherwise, as such board shall direct, and estimate the special benefits to such property by reason of the improvements, as may be determined to be just.

[May 27, 1892.]

Ordinance Levying the Tax.

SEC. 5. The council shall thereupon make an ordinance levying the tax and for the assessment of the property, in accordance with the apportionment and determination of the board of equalization in such district. The ordinance shall also designate the boundaries of the district embracing the property to be taxed.

[May 27, 1892.]

Duty of Assessor and Collector.

SEC. 6. A copy of the ordinance, certified by the recorder, under the corporate seal of the city, shall be delivered to the

city assessor and collector, who shall immediately proceed to list and assess the property according to the apportionment set forth in said ordinance, stating the name of the owner, or if unknown, then so stating, the number and dimensions of each lot or piece of ground, and the amount of tax levied thereon, but it shall be sufficient to describe the lot or piece of ground as the same is platted and recorded. He shall also make a plat to accompany said list, showing the location of the improvement and the position of the respective lots or pieces of ground assessed with reference to the same, and shall return and lodge said list and plat when completed, with the recorder, within ten days after the receipt of said order, or such further time as the council may allow. The city assessor and collector shall be present at the sessions of said board, and note upon said list such corrections and changes as may be ordered by the board, and when said list is completed the council shall make an ordinance confirming the assessment as set forth in the list as corrected by the board of equalization, a copy of which ordinance, certified by the recorder under corporate seal, together with such corrected list, shall be delivered to the assessor and collector, and shall constitute his warrant for the collection of said taxes. Such taxes shall be due and payable sixty days after the date of the ordinance confirming the assessment, and any and all such taxes remaining unpaid at the expiration of said sixty days shall be deemed delinquent.

[May 27, 1892.]

Five Days' Notice.

SEC. 7. Said assessor and collector, upon receipt of the certified copy aforesaid, shall, without delay, give at least five days' notice in one or more newspapers having general circulation in Salt Lake City, of the time when such tax shall become delinquent.

[May 27, 1892.]

How Assessment Collected.

SEC. 8. Upon the receipt of the correct list and ordinance confirming the assessment aforesaid, the assessor and collector shall collect the assessment in like manner as other city taxes,

and shall furnish to each taxpayer or leave at his place of business (if known) a notice of the amount of tax assessed against him and when and where payable.

[May 27, 1892.]

Payments to City Treasurer.

SEC. 9. The assessor and collector shall pay over to the city treasurer all moneys collected by him at the end of each month, or sooner if required by the council.

[May 27, 1892.]

District Number One.

SEC. 10. Sewer district No. 1 is hereby created and established, with the following boundaries, to-wit: Beginning at the intersection of the center lines of South Temple and Second East streets, thence running south along said center line of Second East street to the center line of Fourth South street; thence west along said center line of Fourth South street to the center line of First West street; thence north along said center line of First West street to the center line of North Temple street; thence east along said center line of North Temple street to the center line of State street; thence south along said center line of State street to the center line of South Temple street; thence east along said centre line of South Temple street to the place of beginning.

District Number Two.

SEC. 11. The following described territory in said city shall constitute sewer district No. 2, viz: Commencing at the center of the intersection of State street with South Temple street of said city, thence east on and with the center of said South Temple street to a point 165 feet east from the southwest corner of lot 2, in block 5 of plat "D;" thence north to the center of said block 5, thence west through the center of blocks Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of said plat "D," and block No. 1 of plat "I" of said city, and to the center of said State street, and thence south to the place of beginning.

[September 29, 1891.]

District Number Three.

SEC. 12. Sewer district No. 3, of Salt Lake City, is hereby created and established with the following boundaries, to-wit: Commencing at the terminus of the sewer as now laid on Cañon street, and running thence north along said street to the center of block three (3), plat "I," midway between Second and Third streets, thence east along the tier of blocks between said streets to the center of block thirty-three (33), plat "D," midway between Second and Third streets, thence south to center of block five (5), plat "D," to north line of South Temple street sewer, thence west along said line of sewer to line of State street and Cañon street sewer, thence northerly along said last mentioned sewer line to place of beginning.

[January 5, 1892.]

District Number Four.

SEC. 13. Sewer district No. 4 is hereby created with boundaries as follows, to-wit: Beginning at the intersection of the center lines of Second East and Fifth South streets and running thence east along the center line of Fifth South street 9,110 8-10 feet to the west boundary line of the Fort Douglas military reservation, thence north along the west boundary line of said reservation 3,957 feet to the center line of South Temple street; thence west along the center line of South Temple street 9,106 9-10 feet to the center line of Second East street; thence south along the center line of Second East street 3,959 5-10 feet to the place of beginning.

[May 9, 1892.]

District Number Five.

SEC. 14. Sewer district No. 5 is hereby created with boundaries as follows, to-wit: Beginning at the intersection of the center lines of Fifth South and First West streets and running thence north along the center line of First West street, 4,762 1-10 feet to the center line of North Temple street; thence west along the center line of North Temple street 2,375 7-10 feet to the center line of Fourth West street; thence south along center line of Fourth West street 4,762 8-10 feet to the center

line of Fifth South street; thence east along the center line of Fifth South street 2,375 8-10 feet to the place of beginning.

[May 9, 1892.]

District Number Six.

SEC. 15. The territory lying between Fourth and Fifth South streets and Second East and First West streets of said city, to-wit: Blocks 38, 39, 40 and 41, as platted in plat "A" of said Salt Lake City be, and the said territory and blocks are hereby made and established sewer district No. 6.

[May 10, 1892.]

Superintendent of Sewers.

SEC. 16. The entire sewer system and all appurtenances shall be under the immediate control of the superintendent of sewers, who shall be responsible for the proper care and efficient operation thereof.

Injury to Sewer, etc.—Night Soil, etc.

SEC. 17. No person or corporation shall injure, break or remove any portion of any manhole, lamphole, flush tanks or any part of the public sewers; or do, or cause to be done, any injury of any kind in any manner, to the pumping station, buildings, the engines and pumps or any connections therewith, to the stand pipe, force main, outlet pipe or to any other of the appliances or parts of the public sewers; nor shall any person or corporation empty or discharge into the public sewers, through any manhole, tank or other opening, any night soil garbage or other similar or objectionable matter.

[July 15, 1890.]

Man-Hole Covers to Be Locked.

SEC. 18. All sewer man-hole covers shall be securely locked and the keys thereof placed in the custody of the superintendent of sewers; and it shall be unlawful for any one to unlock or remove any man-hole cover without permission from the superintendent of sewers.

Permits to Construct Drains.

SEC. 19. Drains for the purpose of removing sewage from the premises of individuals or of corporations within the limits of Salt Lake City shall be constructed, and will be allowed to connect with the public sewer only, under a strict compliance with the following requirements :

The work shall be done by those persons only who have been duly licensed as drain-layers or plumbers, whose licenses have not expired, and who are under approved bonds for the faithful performance of the work, in the manner prescribed by ordinance.

It shall be unlawful for any drain-layer, plumber, property owner, agent or other person or corporation to begin the work of laying, repairing, altering or of connecting with the public sewer any drain within the limits of Salt Lake City, without first having obtained a written permit so to do from the city engineer, which permit must be on the ground during the whole time the work is in progress, and shall be exhibited to any policeman or other person who may ask to see it. And for each permit issued the city engineer shall collect one dollar, which shall be paid into the city treasury by him.

Applications for Permits—Plans.

SEC. 20. All applications for permits must be made in writing and signed by the owner of the property to be drained, or his authorized agent, and must be accompanied by a plan, showing the whole course of the drain which it is desired to construct, together with the size of the same and the size and location of any and all branches to be connected therewith ; said plan or copy thereof to be left with the application in the office of the city engineer.

[July 15, 1890 ; September 9, 1890.]

Certain Connections With Drains Prohibited.

SEC. 21. No person or corporation shall allow or cause to be connected with any drain which discharges into the public sewer, any rain-water conductor or any cellar or surface-water drains. Nor shall the contents of any spring, creek, ditch or

other water course be discharged into the public sewer, without a special permit in writing from the city engineer.

[July 15, 1890.]

No Pipes Within Two Feet.

SEC. 22. In no case shall any gas or water pipe, or other conduit, be laid nearer than two (2) feet on either side of any public sewer without a special permit in writing from the city engineer.

[July 15, 1890.]

Character of Drain Pipe and Fittings.

SEC. 23. Except in cases where a special permit shall have been obtained from the city engineer, all drain pipes shall be of cast iron, which shall be sound, free from holes or cracks, and of the grade known to commerce as extra heavy. The following weights per lineal foot will be accepted as complying with the requirements of this chapter:

4 inches, 13 pounds per lineal foot.

5 inches, 17 pounds per lineal foot.

6 inches, 20 pounds per lineal foot.

And all fittings used in connection with such pipe shall correspond with it in weight and quality. All such drain pipes shall be not less than four inches nor more than six inches internal diameter, and there shall not be in any such drains any trap, valve or other obstruction to prevent or retard the free passage of air or sewage. The joints of all pipe shall be of lead, and shall be thoroughly calked. Oakum gaskets shall be used in all the joints in such manner as to prevent the lead from being forced through and forming projections on the interior of the pipe. All pipe must be sound and of uniform size and quality throughout, laid on a uniform grade of not less than 1 in 60, and as nearly straight as possible. All changes in direction must be made by means of properly curved pipes of not more than one-eighth bend.

Depth of Earth on Pipes.

SEC. 24. All pipes must be covered with at least eighteen inches in depth of earth, which for the first six inches in depth

shall be free from stones or rubbish, and the entire back filling must be thoroughly rammed.

Excavations—Open Forty-eight Hours—Barricades.

SEC. 25. Excavations made in the streets or other public ways, for the purpose of connecting drain pipes with the sewer, shall not remain open more than forty-eight hours, within which time the street surface must be restored to its original condition; and every precaution must be taken to prevent the obstruction or disturbance of any gutter, drain, gas, water or other pipe or conduit, or the injury or destruction of property of any kind; and every care must be taken to prevent accident by the erection of proper and sufficient barricades and signals during the execution of the work.

Settlement in Surface of Ground.

SEC. 26. Any settlement that occurs in the surface of the ground, through the laying of any drain, and within sixty days from the inspection of the work, as hereinafter provided, shall be repaired at the expense of the owner of the property from which such drain has been laid.

[July 15, 1890.]

Assessment Must Be Paid.

SEC. 27. If the property to be drained by a proposed private drain or connection has ever been assessed for the construction of said drain, or its connection with any public or district sewer, no permit can be issued until such assessment has been paid; nor during the construction of any district sewer, and prior to the assessment of the cost thereof, can a permit be issued for the construction of any private sewer, to drain any lot of ground within said district, or to connect the same with any public or district sewer, unless the contractor of said district sewer shall first join with the owner of the lot in making application for the permit to issue, and waive all claim for damage thereby; or unless such owner, failing to obtain such concurrence of the contractor, shall first pay into the treasury, on account, a sum of money equal to ten per cent. above the

assessment of the lot of ground to be drained, based on the estimate of cost made by the city engineer, with the provision that on completion of the district sewer in that district, and the assessment of actual cost according to law is made, any deficiency between the amount paid and the amount assessed shall be made good. Any excess of the amount paid in, over the amount afterwards actually determined, shall be refunded to the said owner, or credited to his account in the manner of other similar assessments not fully paid.

[July 15, 1890.]

Plans to Be Approved—Right of Entry.

SEC. 28. Any proposed private drain of a length of one thousand feet or over must, before a permit can be issued therefor, have been approved in its plan by the committee on sewers, and an amount of money deposited in the city treasury sufficient, in the opinion of the city engineer, to see the work properly done; and the right of free entrance into and upon the property and premises drained into any public or district sewer, by any proper city employé or agent, for the purpose of examining or inspecting the condition of such drain, shall always be afforded at any and all times.

[July 15, 1890.]

Notice to Engineer—Inspector Detailed.

SEC. 29. Any person or corporation holding a permit to lay a private drain must, before laying any pipe, give at least eighteen hours' notice at the office of the city engineer of the time when he will be ready to begin, and he must not proceed with any work of that kind until the inspector is on the ground. If prevented from working at the time set, the drain-layer must report the facts to the city engineer and appoint another time for doing the work. Any work done without notice to the city engineer or without inspection shall be treated as defective work, and may be uncovered, and, if need be, reconstructed by said engineer at the expense of the drain-layer to whom the permit was granted.

[July 15, 1890.]

How Junction Pieces to Be Set.

SEC. 30. Unless special permission is endorsed on the permit, the junction pieces, slants or Ys, which have been built into the sewer during the construction, must be used for connecting all private sewers or house drains. In making such connections, the junction pieces, slants or Ys must first be found before opening the trench for the rest of the work.

In all cases, the trench must be opened of ample width at the point of connection; all rubbish removed, so as to admit of easy inspection, and the actual connection with the said junction piece, slant or Ys be made in the presence of the inspector. The cover of the "Y" branch on the sewer should be carefully removed so as not to injure the socket. If there be no junction piece, slant or Ys in the sewer already, a permit to cut the sewer will be granted by the city engineer and a connection may be made by inserting into the sewer a junction pipe of the size specified in the permit and cut to an angle of 45 degrees by the manufacturer. After the making of the opening, which must be done with great care, so as not to injure the sewer, all rubbish must be removed carefully from the inside of the sewer. The junction pipe must then be set even with the inside of the sewer on a bed of mortar, and the opening around the pipe carefully repaired, and well plastered with mortar compounded of equal parts of Portland cement and clean sharp sand. In connecting pipe with a Y junction, care must always be used, and the main sewer left in as good condition as before the work was done.

[July 15, 1890.]

Inside of Drain.

SEC. 31. The inside of every drain connecting with a public or district sewer, after it is laid, must be left smooth and perfectly clean throughout its entire length, and the ends of all pipes, not to be immediately used, must be securely guarded against the introduction of sand or earth, by bricks and cement, or other water-tight and imperishable materials.

[July 15, 1890.]

No Work Covered Until Inspected.

SEC. 32. Notice must be left at the office of the city engineer twenty-four hours prior to the beginning of any work upon a drain, and no materials shall be used, or work covered, until inspected and approved by the inspector.

[July 15, 1890.]

Permits May Be Revoked.

SEC. 33. Permits to connect with the main sewer may be revoked or annulled by the city engineer for such cause, at any time as he may deem sufficient, and all parties in interest shall be held to have waived the right to claim damages on account of such revocation.

[July 15, 1890.]

When Permits Will Be Issued.

SEC. 34. Permits to make connections with the public sewers will be issued only when the plumbing in the house or building to be connected is in accordance with the rules for plumbing, hereinafter prescribed.

[July 15, 1890.]

Rules for House Drainage and Plumbing.

SEC. 35. The following rules shall be observed in all plumbing for house drainage within the limits of Salt Lake City:

Rule "A"—Every building in which plumbing arrangements are constructed, shall be separately and independently connected with the city sewer, where such sewer is provided, and when it is not provided, with a cesspool in a location and with a capacity to be approved by the board of health; and every plumber before doing any plumbing work on any building, or before any additions are made to old work, excepting old repairs (and repairs are defined to consist of mending leaks in drain, soil, waste and vent pipes, and repairs on faucets, valves and water supply pipes and of forcing out waste pipes), shall submit a plan and description of the work to be done on blanks furnished by the city engineer, which shall be filed

in the office of said engineer, and no such work shall be done until such plans have been approved and a written permit to do the work issued by said engineer; *Provided*, that in buildings which are condemned by the board of health because of unsanitary condition, no plumbing shall be considered as coming under the head of repairs, but all plumbing shall be done as in the case of new buildings.

All work done on such plans shall be subject to inspection, and no alteration shall be made in any plan or in the work without first obtaining a special permit in writing from the city engineer.

And for such permit issued to any person or corporation the city engineer shall collect from such person or corporation one dollar (\$1.00), which shall be paid into the city treasury by him.

Under no circumstances shall any mechanic doing the work of plumbing or house draining, or any employé of such mechanic, act as the agent of the engineer or inspector to perform the duties prescribed in this ordinance.

Rule "B." All pipes from the sewer to the top of the soil pipe, which must be carried to a point at least twelve inches above the highest point of the roof, shall be fully four inches in interior diameter at every point, and no vent pipe shall terminate nearer than fifteen feet to any door or window opening.

Rule "C." No trap nor any manner of obstruction to the free flow of air through the whole course of the drain and soil pipe will be allowed, and any plumber who shall directly or indirectly place or make any trap, contraction or other obstacles anywhere in the course of such drain or soil pipe, shall, in addition to the penalty herein prescribed, forfeit his license, and shall be ineligible to re-license for one year. Any other person offending as above shall be subject to the penalties of this ordinance, and shall in addition pay the cost of rectifying the wrong done.

Rule "D." Every sink, urinal, water-closet, bath tub, basin, safe or other fixtures, shall be separately trapped as near the fixtures as possible, and all flow from kitchen sinks, or any greasy flow whatever, shall be caused to pass through a suitable grease trap, approved by the city engineer or inspector.

Rule "E." All details of plumbing work, such as water-closets, sinks, etc., must be of a kind and quality to be approved by the city engineer or inspector.

Rule "F." The discretion of the city engineer or inspector in approving plans and accepting work, as above, shall be limited by the following requirements, viz:

First—No water closet shall be set up in any house or building in which the walls are not fully and freely washed by the normal discharge of the closet at each operation; nor shall any hopper closet be set up which has a trap with less than one and three-fourths ($1\frac{3}{4}$) inches seal.

Second—Every trap which is so situated as to be subject to siphonage by momentum or suction shall be of a kind that cannot have its seal broken by a siphonage, and shall be vented.

Third—All soil pipes and fittings shall be of cast iron of the grade known to commerce as extra heavy, and shall be of the following weights per lineal foot:

4 inch, 13 lbs. per lineal foot.

5 inch, 17 lbs. per lineal foot.

6 inch, 20 lbs. per lineal foot.

And shall be carried full size (and in no case less than 4 inches) up through the house, and at least 12 inches above the highest point of the roof, and left without cap or bend.

Fourth—No fixture shall be trapped by having its outlet connected with the trap of another fixture.

Fifth—No connection may be made at any part of the house drainage system, with roof gutters or any other channel for the conveyance of rain water, save that plumbing fixtures may be supplied from tanks constructed to store rain water for such purpose.

Sixth—All pipes must be as direct as possible, and shall be so arranged that they may at all times be readily examined and repaired. Before the fixtures are placed the whole system of drain, soil, waste and vent pipes shall be hermetically sealed; the pipes shall then be filled with water to the top, and every joint shall be examined for leakage, and all leaks shall be securely closed before connections are made with the sewer or cesspool; except that in case of inspection of plumbing already

existing, the peppermint or smoke test may be substituted by the engineer or inspector.

Seventh—The joints of all pipes, except where screw joints are used, shall be made with an oakum gasket and soft lead, thoroughly caulked.

Eighth—All vent pipes and fittings shall be of galvanized iron or of cast iron, and if of cast iron, it shall be of the grade known to commerce as extra heavy, and shall be of the following weights per lineal foot:

2 inches, $5\frac{1}{2}$ lbs. per lineal foot.

3 inches, $9\frac{1}{2}$ lbs. per lineal foot.

4 inches, 13 lbs. per lineal foot.

And all fittings used with such pipe shall correspond with it in weight and quality, and all cast iron pipe and fittings shall be coated inside and outside with coal pitch varnish.

Ninth—The drain pipe shall not be laid below the cellar floor, except it be absolutely necessary. It should be fastened along the cellar wall or hung from the floor timbers, and given a grade of at least 1 in 60, and more if possible.

Tenth—All changes in the direction of the drain shall be made with curved pipes, and all connections with Y's, branches and one-eighth bends.

Eleventh—Waste pipes from safes, refrigerators, beer pumps, water tanks, and other similar fixtures, or from receptacles in which provisions are stored, shall not be connected directly to the drainage system, but shall discharge into an open sink or tray, which shall be in plain sight. This sink or tray may connect with the drain pipes upon being properly trapped like any other fixture.

Twelfth—All connections of lead pipes shall be made with wiped joints.

Thirteenth—All connections of lead with iron pipe shall be made with a brass sleeve or ferrule, the sleeve to be thoroughly calked into the hub of the iron pipe with lead, and the lead pipe to be attached to the sleeve by a wiped joint.

Fourteenth—Water closets shall not be flushed by direct service, but by means of a special tank.

Fifteenth—Waste pipes shall in all cases be of lead or cast

iron, and of the following sizes for each of the following named fixture:

Bath tub, $1\frac{1}{2}$ inches.

Sink, $1\frac{1}{2}$ inches.

Laundry tub, $1\frac{1}{2}$ inches.

Urinal, $1\frac{1}{2}$ inches.

Wash basin, $1\frac{1}{4}$ inches.

Slop hopper, 2 inches.

Sixteenth—The vent pipe from each fixture shall in all cases be of the same size as the waste pipe from the same fixture; *Provided*, that when more than one fixture shall be vented through the same pipe, the size of such pipe shall be as follows:

For more than 1 and not to exceed 2 fixtures, $1\frac{1}{2}$ inches.

For more than 2 and not to exceed 3 fixtures, 2 inches.

For more than 3 and not to exceed 5 fixtures, $2\frac{1}{2}$ inches.

For more than 5 and not to exceed 10 fixtures, 3 inches.

Seventeenth—Vent pipes from water closet traps shall not in any case be less than 2 inches in diameter; and where more than one closet is vented through the same pipe the size of such pipe shall be as follows:

For more than 1 and not to exceed 2 closets, 2 inches.

For more than 2 and not to exceed 4 closets, $2\frac{1}{2}$ inches.

For more than 4 and not to exceed 8 closets, 3 inches.

A water-closet, bath-tub and wash-basin may all be ventilated through the same pipe, but in all such cases the two-inch vent-pipe, which is common to such fixtures, shall not exceed five feet in length, unless special permission in writing is first obtained from the city engineer; and the same rule shall apply in cases where a water-closet and either a bath-tub or a wash-basin are vented through the same pipe.

Eighteenth—All vent-pipes which are more than thirty feet in length shall be increased one-half inch in diameter for each additional length of not less than ten or more than thirty feet.

Nineteenth—In no case shall more than one fixture be drained or vented through a one-and-one-quarter-inch pipe, nor shall any waste-pipe of one and one-quarter inches diameter exceed twenty feet in length.

Twentieth—Trap-vents from two or more fixtures must be

connected at least twelve (12) inches above the top of fixtures, and a trap-screw of the same diameter as vent wiped into it and not more than six (6) inches above the connection with the trap, and the use of solder unions is strictly prohibited.

Twenty-first—All pipes are to be so arranged that they may be easily examined and repaired; when they are necessarily carried within the walls of partitions, shall, when practicable, be covered with woodwork fastened with screws, so as to give ready access to the pipes.

Twenty-second—All exit pipes from plumbing fixtures, except the soil pipes from the water closets, shall be provided with strong metallic strainers securely fastened.

Double hubs are prohibited in all cast-iron soil and waste pipes.

Wooden wash-trays and wooden sinks are prohibited inside of buildings. Such fixtures shall in all cases be of non-absorbent material.

Except in pipes which are vertical, the use of sanitary ties is prohibited.

Twenty-third—Waste pipes from bath-tubs shall be connected to drum-taps having trap-screws not less than four inches in diameter, with vent attached, and put as close to bath-tub as is practical and accessible.

Twenty-fourth—In no case shall any vent or soil-pipe be run on the outside of any building without a special permit from the city engineer.

[July 15, 1890.]

Barry Cleanouts.

SEC. 36. In no case will any fixture be allowed to discharge into the bend or trap of a water closet. In all drain pipes laid within the property lines, and in all horizontal soil pipes which are four inches or more in diameter, there shall be placed every twenty-five feet apart throughout their entire length either Barry cleanouts, or Y branches with brass cleanouts screws, which shall be put in as follows:

First—In buildings having basements, and which are built upon or near the property or street line, and where the pipe is exposed, the Barry cleanouts shall be used; and where the pipe

is buried below the basement floor, then Y branches and screws shall be used, and placed so that the screws will come flush with the basement floor. In buildings similarly situated, but having no basement, Y branches and screws shall be used, placed so that the screws will be flush with the lower floors of such buildings.

Second—When buildings are located back from the property or street lines, a Y branch and screw shall be placed five feet inside of the property or street line, and also every twenty-five feet apart along the whole length of the pipe between the initial Y branch and the building, and all of such Y branches shall extend up to and be finished so that the cleanout screws will be flush with the surface of the ground.

Third—When buildings are drained into cesspools, the same rules shall be followed in the matter of cleanouts as hereinabove prescribed, except that the initial cleanout shall be located just within the foundation walls.

Exhaust from Steam Engine, etc.

SEC. 37. No privy-vault, cesspool, exhaust from steam engine or blow-off from a steam boiler shall be directly connected with a public sewer.

[July 15, 1890.]

Final Inspection and Approval.

SEC. 38. Upon the completion of any work done under permits issued by authority of this ordinance, the drain-layer or plumber to whom such permit was issued shall give written notice thereof to the city engineer, and thereupon the inspector shall make a final examination of the whole work, and if found to comply with the requirements of this ordinance, he shall approve the same and shall issue a certificate therefor, and he shall immediately thereafter endorse on the application upon which the permit for the work was issued, and which shall be kept on file in the city engineer's office, the date of such final inspection and approval.

Penalty for Violation.

SEC. 39. Any person or persons found guilty of violation of any provision of this chapter shall, upon conviction thereof,

be fined in a sum of not less than ten (\$10) dollars or more than one hundred (\$100) dollars for the first offense, and not less than twenty-five (\$25) dollars for each day such person or persons shall continue in violation thereof after due notice to cease by any city officer.

[July 15, 1890.]

CHAPTER XLII.

SEXTON.

Registrar of Deaths—Statement.

SECTION 1. The city sexton shall be registrar of deaths for Salt Lake City, and before burying any dead body in any of the cemeteries within the corporate limits of said city, or before transporting beyond the corporate limits the body of any person that has died therein, the relatives, or other persons having charge of said body, shall be required to furnish in writing to said sexton a statement of said death, which shall be recorded by him. Said statement, as well as the record, shall include the name of the person deceased, with the names of his or her parents or other relatives, when and where born, the date of death, and the cause thereof, together with the name of the attending physician, if any, coroner or midwife; also the date of burial, as well as the name of the cemetery, with the initial letter of the plat, as well as the number of block and lot where said person is buried, or if transported beyond the corporate limits to a distance, the place of destination.

[March 3, 1860; February 14, 1888.]

Duties of Sexton.

SEC. 2. It shall be the duty of the sexton to take charge of the city cemetery, and improve the grounds thereof, subject to the approval of the city council; to dig, or cause to be dug, all graves required for the burial of the dead therein, and keep a record of the same, as provided for in section 1 of this chapter.

[February 14, 1888.]

Sale of Lots—Certificate Price.

SEC. 3. The sexton is hereby empowered to sell lots in said cemetery and to collect before occupancy all dues arising from such sales, and all moneys so collected shall be by him paid into the city treasury, as often as once a month, less 20 per cent. thereof for each lot sold, which he may retain as his commission for selling and collecting. He shall give to each purchaser a certificate for each lot, or part of lot bought, with the price thereof, which shall describe the lot so bought, and he shall keep a duplicate of said certificate and record the same. The price of lots, the size being sixteen and one-half feet square, shall not exceed \$100, nor shall they be less than \$12, the cemetery committee being empowered to regulate the price according to location, subject to the approval of the city council; and all lots and parts of lots so conveyed, together with all improvements thereon, shall be exempt from taxation (except for water) and execution.

[December 2, 1890.]

Headboards and Tombstones—Fences and Grade.

SEC. 4. The owners of lots, or relatives of deceased persons buried in said grounds, are hereby required to erect headboards, tombstones or other suitable monuments at the heads of graves, with the names of the deceased plainly inscribed thereon; and if any person neglects or fails to erect such headboards, tombstones or other suitable monument for a period of three months from the date of burial, the sexton shall place suitable headboards in their proper position at the expense of the person owning or burying in the said lot. No person shall erect a fence, corner posts or other boundary mark upon any lot or lots in said cemetery, nor grade the ground or land

thereof, except under the direction of the sexton, who shall furnish the true lines of lots according to official survey, and shall prevent and prohibit any grading that would destroy the symmetry of the land.

[February 14, 1888.]

Title—Permit—Disinterment—Contagious Disease.

SEC. 5. No person, or persons, shall be allowed to inter their dead in said cemetery without first obtaining a title from the sexton to the lot in which they bury, or if they do not own the lot they shall then be required to furnish a written permit from the owner thereof, which permit shall be filed with the sexton; and no person shall disinter any body buried in said cemetery except under the direction of the sexton; and before disinterment the sexton shall require a written order from the owner of the lot authorizing such removal, which order he shall file and preserve, and all such removals shall be recorded by him in a book kept for that purpose. It shall be unlawful to remove a body that has died of a contagious disease within two years from the date of burial, except such body has been buried in a hermetically sealed coffin, and is found to be so encased.

[February 14, 1888.]

Compensation for Services.

SEC. 6. The sexton is hereby authorized to collect from those requiring his services not more than the following compensations for services herein named:

For digging a grave four feet in length and four feet six inches deep.....	\$2.00
For digging a grave six feet six inches in length and five feet six inches deep.....	3.00
For all graves over six feet six inches in length.....	4.00
For disinterring bodies from a grave four feet in length.	2.00
For disinterring bodies from a grave six feet six inches in length	4.00
For disinterring bodies from a grave over six feet six inches in length.....	5.00
For recording each death or removal.....	.25
For certificate of lot purchased.....	.50

[February 14, 1888.]

Penalty for Injuring Cemetery Property.

SEC. 7. Any person who shall injure or deface any head-board, tombstone, monument, tree, shrub, or any other property in said cemetery, shall, upon conviction, be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not to exceed thirty days, or to both such fine and imprisonment.

[February 14, 1888.]

Burials Must Be in Cemetery—Murderer.

SEC. 8. No person shall be allowed to bury his dead within the limits of the city, except in the burying grounds located therein, unless by permission of the city council, and there shall not be interred in any cemetery within the corporate limits of said city the body of any person known to the law as a murderer.

[February 22, 1864; February 14, 1888.]

Two Streets in Cemetery.

SEC. 9. The street running north and south on the east side of plats E, F, H and B, in the city cemetery of Salt Lake City, being three rods in width, be, and is hereby, altered and changed, by platting one rod in width of the center of said street, and leaving two streets, one on each side thereof, each one rod in width. That said two streets, of the width of one rod each, are hereby dedicated to the public use, and the one rod in width between said streets shall become a part of the city cemetery, and the public easement thereon is hereby abolished.

[December 23, 1890.]

Rate of Speed for Riding and Driving.

SEC. 10. Any person or persons who shall ride or drive within the limits of the city cemetery faster than a walk shall, upon conviction thereof, be fined in any sum not exceeding twenty-five dollars.

[December 8, 1891.]

Penalty.

SEC. 11. Any person violating any provision of this chapter, where the penalty is not otherwise provided for, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment for any term not exceeding one hundred days, or to both such fine and imprisonment.

[February 22, 1864; February 14, 1888.]

CHAPTER XLIII.

SIDEWALKS.

Estimate of Cost—Protests.

SECTION 1. Whenever the city council shall deem it necessary to construct or repair any sidewalk, or any portion thereof, in any street, avenue or alley within the city limits, it shall determine the character, quality, extent and location of such proposed improvement, and cause an estimate to be made of the cost thereof, determine and define the boundaries of the district or division of the city specially to be benefited or affected by the same, and shall include in such district only blocks, lots and parts thereof, and pieces of ground, adjacent to or abutting upon the sidewalk.

The council shall set a time when it will meet to hear and consider objections or protests to the constructing or repairing such sidewalk, or the defraying of the expense of the same by making local assessment. The final action of the council in respect to matters mentioned in this section shall be entered and preserved in the city records.

[May 6, 1890.]

Notice of Intention.

SEC. 2. The city council shall next cause a notice of its intention to make the improvement and defray the cost and expense thereof by local assessment, describing the proposed improvement, the boundaries of the district to be affected or benefited by the same, the estimated cost thereof, and designating the time set for the hearing mentioned in the last section, to be published at least twenty days in a newspaper published and having a general circulation within the city, which notice shall be substantially in the following form:

Notice is hereby given by the city council of Salt Lake City of the intention of such council to make the following described improvement, to-wit:.....
and defray the cost and expense thereof, estimated at.....dollars, by a local assessment upon the lots or pieces of ground within the following described district, being the district to be affected or benefited by said improvement, namely:.....

All protests and objections to the carrying out of such intention must be presented in writing to the city recorder on or before the.....day of.....189..., being the time set by said council when it will hear and consider such protests and objections as may be made thereto.

By order of the city council of Salt Lake City.

.....City Recorder.

[May 6, 1890.]

When Council May Order Work Done.

SEC. 3. After the expiration of twenty days, and on the day designated in the notice, the council shall meet, and if written objections to the making of the improvement, signed by the owners of one-half of the front feet abutting upon that portion of the sidewalk to be so improved, be not filed with the recorder, the council shall hear and consider such objections or protests, if any, as shall have been made. If the council determine to proceed with the improvement it shall make an order, which shall be entered of record in the minutes of its proceedings,

authorizing and directing the work to be done and improvement made, under the supervision of the proper officer or officers to be named in the order, and shall apportion and assess the cost of the improvement, or the part thereof as specified in the notice, upon the real estate, lots or pieces of ground embraced within the district; such apportionment to be in accordance with the linear foot frontage upon the sidewalk to be constructed or repaired, and the frontage of a lot on a corner with a sidewalk on two sides or fronts shall be deemed to extend to the intersecting streets.

[May 6, 1890.]

Ordinance Levying Tax.

SEC. 4. The council shall next make an ordinance levying the tax and for the assessment of the property in accordance with the apportionment and determination of the council, which apportionment shall be fully set forth in such ordinance. The ordinance shall also designate the boundaries of the district embracing the property to be taxed.

[May 6, 1890.]

Listing and Assessing Property.

SEC. 5. A copy of the ordinance certified by the recorder, under the corporate seal of the city, shall be delivered to the city assessor and collector, who shall immediately proceed to list and assess the property according to the apportionment set forth in said ordinance stating the name of the owner, or if unknown, then so stating the number and dimensions of each lot or piece of ground and the amount of tax levied thereon, but it shall be sufficient to describe the lot or piece of ground as the same is platted and recorded. He shall also make a plat to accompany said list, showing the location of the improvement, and the position of the respective lots or pieces of ground assessed with reference to the same, and shall return and lodge said list and plat when completed, with the recorder, within ten days after the receipt of said order, or such further time as the council may allow.

[May 6, 1890.]

Board of Equalization and Review.

SEC. 6. Upon the completion of the list mentioned in section five of this chapter, the city council shall appoint five of its members as a board of equalization and review, and the list shall be placed in the hands of said board, and the said board shall give not less than ten days' public notice by publication in some newspaper published within the city, of the completion of said list, and appoint not less than five consecutive days upon which they will meet during the usual business hours and state the place of its meeting, and during the time specified the said list shall be open to public inspection, and any person or persons feeling themselves aggrieved shall have hearing before the said board, and the said board shall have authority to make correction of any tax deemed by them unequal or unjust. The city assessor and collector shall be present at each session of said board and note upon said list such corrections and changes as may be ordered by the board, and when said list is completed the council shall make an ordinance confirming the assessment as set forth in the list as corrected by the board of equalization, a copy of which ordinance, certified by the recorder under the corporate seal, together with such corrected list shall be delivered to the assessor and collector, and shall constitute his warrant for the collection of said taxes; such taxes shall be due and payable sixty days after the date of the ordinance confirming the assessment, and any and all of such taxes remaining unpaid at the expiration of said sixty days shall be deemed delinquent.

[May 6, 1890.]

Notice of Delinquency—When Taxes Delinquent.

SEC. 7. Said assessor and collector, upon receipt of the certified copy aforesaid, shall, without delay, give at least five days' notice in one or more newspapers having general circulation in Salt Lake City, of the time when such tax shall become delinquent.

All assessments and special taxes hereafter levied for the purpose of paving or otherwise improving the sidewalks in this city shall become delinquent as follows: One-third of the total

amount of such assessment shall become delinquent in three months after the levy for such purpose has been made, one-third in nine months after such levy, one-third in fifteen months after such levy. That each of said installments shall draw interest at the rate of six per cent. per annum from and after the expiration of three months from the date of the levy of the tax.

This section shall apply to the paving or otherwise improving of all sidewalks in all sidewalk districts heretofore established, as well as to all sidewalk districts which may hereafter be established.

[May 6, 1890; October 28, 1892.]

How Assessment Collected.

SEC. 8. Upon the receipt of the corrected list and ordinance confirming the assessment aforesaid, the assessor and collector shall collect the assessment in like manner as other city taxes, and shall furnish to each tax-payer or leave at his usual place of business (if known) a notice of the amount of tax assessed against him and when and where payable.

[May 6, 1890.]

Payments to City Treasurer.

SEC. 9. The assessor and collector shall pay over to the city treasurer all moneys collected by him at the end of each month, or sooner if required by the council.

[May 6, 1890.]

Suspension of Assessments.

SEC. 10. Whenever in the opinion of the board of public works of said city it is desirable that the construction of any part of any sidewalk pavement now ordered made, or which may hereafter be ordered made, should be delayed in its construction, by reason of the erection of buildings or other improvements being made, or that the pavements now in use are temporarily good, and the same shall be reported by said board to the city council, and upon the adoption of such report by the council, the construction of such part or parts of said sidewalk shall be delayed and the collection of such taxes as shall have

been levied and assessed shall be suspended until the further order or resolution of the council, of which the city assessor and collector shall from time to time be given due notice.

[September 22, 1891.]

Refunding Excess of Taxation.

SEC. 11. The assessor and collector be and he is hereby directed to transmit to the city council, as completed, the list of the taxpayers, with the amounts of taxes levied and assessed, and collected, or only levied and assessed, and which may hereafter be from time to time levied and assessed and collected or only levied and assessed, and a description of the divers pieces of property assessed respectively to said taxpayers, in sidewalk districts of Salt Lake City; and upon the receipt of such lists the city auditor is hereby directed to take such lists, and also the divers contracts for the construction and laying of such sidewalks, and compare the respective lists with the respective contracts, the one with another, and report to the city council the difference between the amount of taxes levied and assessed and collected, or only levied and assessed, and the cost of construction, grading and collection of the taxes, inclusive, having reference to the amount of taxes levied and assessed and collected, or only levied and assessed, and the cost of construction, and report to the council the excess of taxes collected by the assessor and collector, and also the excess of taxes levied and assessed beyond the cost of construction, and if upon report it should appear that the taxes collected or only levied and assessed should be in excess of the cost of construction, the city recorder shall so inform the assessor and collector, and in all cases wherein he has not collected the taxes so levied and assessed, he is directed to collect only the amount so reported by such auditor as payable by such taxpayers, covering only the actual costs of construction of the sidewalk abutting upon the respective pieces of property against which such respective taxes may have been levied and assessed, and in cases where the assessor and collector has collected such taxes, the council will by proper order direct the auditor to draw warrants upon the city treasurer in favor of such taxpayers respectively, refunding to them such excess of taxes, and the said treasurer is hereby directed

to pay such warrants. And the assessor and collector is further directed not to collect taxes so levied and assessed by him until after the auditor has reported as hereinbefore provided, and notice of such reports given him, and to collect such taxes as directed by the council upon such reports of said auditor.

The intention hereof being that only so much of the taxes levied and assessed shall be collected as are necessary to cover the actual cost of construction, and to release the taxpayers from the excess.

[September 22, 1891 ; October 13, 1891.]

Sidewalk Districts.

SEC. 12. The following sidewalk districts are hereby created, defined and established in Salt Lake City, as follows, viz:

District No. 1—Both sides of First South street, between East Temple and Fifth West streets.

District No. 2—Both sides of First south street, east from East Temple street to the military reservation.

District No. 3—Both sides of Second South street between East Temple and Fifth West streets.

District No. 4—Both sides of Second South street, east from East Temple street to the military reservation.

District No. 5—Both sides of Third South street between East Temple street and Fifth West streets.

District No. 6.—Both sides of Third South street, east from East Temple street to the military reservation.

District No. 7—Both sides of West Temple street between South Temple and Eighth South streets.

District No. 8—Both sides of East Temple street between South Temple and Eighth South streets.

District No. 9—Both sides of First East street between South Temple and Eighth South streets.

District No. 11—Both sides of First West street between South Temple and Eighth South streets.

District No. 12—Both sides of East Temple street between South Temple and First North streets.

District No. 13—Both sides of South Temple street from East Temple street to Third West street.

District No. 14—Both sides of Fourth South street, east from East Temple street to the military reservation.

District No. 15—Both sides of Fourth South street from East Temple street to Fifth West street.

District No. 16—Both sides of Second East street between South Temple and Eighth South streets.

District No. 17—Both sides of South Temple street from East Temple street to the military reservation.

[March 20, 1891.]

District No. 18—Both sides of Fifth East street between South Temple and First South streets.

[August 18, 1891.]

District No. 19—Both sides of State street from South Temple street to South Capitol avenue.

District No. 20.—Both sides of all public streets, avenues and alleys in plat A, Salt Lake City survey, not heretofore included in any sidewalk district, except State street from South Temple street north.

District No. 21—Both sides of all public streets, avenues and alleys in plat C, Salt Lake City survey.

District No. 22—Both sides of all public streets, avenues and alleys in plat B, Salt Lake City survey, not heretofore included in any sidewalk district.

District No. 23—Both sides of all public streets, avenues and alleys in plat F, Salt Lake City survey, not heretofore included in any sidewalk district.

District No. 24—Both sides of all public streets, avenues and alleys in plat D, Salt Lake City survey.

District No. 25—Both sides of all public streets, avenues and alleys in plat G, Salt Lake City survey.

District No. 26—Both sides of First street from the east line of State street to the east boundary of plat I; also both sides of Second street and Third street from the east line of Cañon road to the east boundary of Plat I; also both sides of Cañon road from State street to the north boundary of plat I.

District No. 27—Both sides of all public streets, avenues and alleys in plat E, Salt Lake City survey, except State street.

District No. 28—Both sides of all public streets, avenues and alleys in plat J, Salt Lake City survey.

[May 9, 1892.]

Coal Holes or Other Openings.

SEC. 13. The city council may, upon application, authorize the construction, at the expense of the applicant, of coal holes or other openings in streets and sidewalks in such manner and under the direction of such person as it may deem suitable; and they may also authorize the continuance of a covering of a coal hole or other excavation already constructed.

[February 14, 1888.]

Cellarway or Area—Permit and Bond.

SEC. 14. No person shall erect or construct any stairway or passage leading from any street, avenue or alley, into the basement or cellar of any building, and thereby occupy any portion of the street, alley or sidewalk, nor shall any area or vault be excavated or constructed under any sidewalk or any portion of the public streets, avenues or alleys of this city, unless the party so constructing the same shall have procured a permit so to do from the city council, and shall have given a bond to their satisfaction, in a sum not to exceed ten thousand dollars, as they may determine. Such bond shall be to Salt Lake City and conditioned for the payment of all damages that may be adjudged against him or against said city on account of any injuries which may or shall happen to any person, and on account of any damage resulting to any property by reason of such stairway, passage, area or vault, or by reason of the unsafe or dangerous condition of the same, or of any covering, grating or railing, covering or being over or about the same.

[February 14, 1888.]

Size of Cellarways—Protection.

SEC. 15. Cellarways, or entrances to the basements of buildings on the sidewalks of this city, may be constructed not to exceed five feet in width, and where such entrance or flight of steps, is not safely and securely covered, shall be enclosed with a permanent railing on each side, at least three feet high from the top of the sidewalk or pavement, together with either a gate to open inwardly or two iron chains across the front of the entrance-way, one near the top and the other half-way from the ground to the top of the railing, the whole to be constructed

subject to the approval of the supervisor of streets; and such gate or chains shall, unless there is a light burning over the steps to prevent accidents, be closed during the night.

[May 13, 1873; February 14, 1888.]

Coverings of Coal Holes.

SEC. 16. All coverings of coal holes or of other excavations or openings in streets and sidewalks, excepting cellar doorways and bulkheads, shall be constructed of iron, iron and glass, or durable stone, and shall be of such description and workmanship as the city council may direct. When such covering is otherwise constructed, or is, in the opinion of the said council, unsafe or inconvenient for the public travel, said council may order the same to be removed and a suitable one put in its place; and, if such removal and substitution is not completed within ten days from the service of the order on the owner or tenant of the premises or other person having the care thereof, the supervisor of streets shall make the change, and the expense thereof shall be paid by such owner, tenant or other person having the care of the premises; and no person shall leave such coal hole or other excavation or opening uncovered or with its cover unfastened, except while it is in use in the daytime before sunset, by some person or persons who are actually attending to the same.

[February 14, 1888.]

Gratings in Sidewalks.

SEC. 17. No grating shall be placed in a sidewalk, the spaces between the bars of which are more than one inch and a quarter in width; and no grating shall project more than three feet into a sidewalk.

[February 14, 1888.]

How Long to Be Left Open.

SEC. 18. No occupant or other person having the care of a building shall suffer a cellar door, cellar doorway, entrance or flight of steps, such as are mentioned in the preceding sections, to remain open, unless the same shall be properly guarded, and, in the night time, properly lighted.

[February 14, 1888.]

Repairs of Cellar Doors.

SEC. 19. When a cellar door or the platform thereof projects into a sidewalk, the owners and occupants of the estate to which such cellar door or platform belongs shall keep such door or platform in good repair; and if it is at any time out of repair, so that in the opinion of the supervisor of streets the safety of the inhabitants is thereby endangered, the said supervisor shall notify the said owners and occupants of the fact, and if they neglect or refuse, for the space of twenty-four hours, to repair such door or platform, the supervisor of streets shall forthwith cause such repairs to be made, at the expense of said owners or occupants, who shall, in case of such neglect or refusal, be further liable to a penalty of not less than five nor more than fifty dollars for each and every day that said door or platform continues to be out of repair.

[February 14, 1888.]

Obstructions to Be Removed—Penalty.

SEC. 20. No person shall put, place, or cause to be put or placed, anywhere upon a public street or sidewalk, and no person owning, occupying or having control of any premises, shall, after reasonable notice by the city marshal or any police officer, suffer to be or remain in front thereof, upon the sidewalk, or the half of the street next to such premises:

First—Any broken ware, glass, filth, rubbish, refuse matter, garbage, ashes, tin cans, or other like substances.

Second—Any wagons, lumber, wood, boxes, fencing, building material, merchandise, or other thing, which shall obstruct such public street or sidewalk, or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the city council.

Third—Any goods, wares or merchandise, for sale or show or otherwise, beyond three feet from the front line of the lot where such goods, wares or merchandise may be exposed.

No person receiving or delivering goods, wares or merchandise in this city shall place or keep upon, or suffer to be placed or kept upon, any sidewalk in said city any goods, wares or merchandise which he may be receiving or delivering, without

leaving a passageway clear upon such sidewalk, where such goods, wares or merchandise may be, ten feet wide, for the use of foot-passengers; and no person receiving or delivering such property shall suffer the same to be or remain on such sidewalk for a longer period than five hours.

Any person violating any of the provisions of this section shall, upon conviction thereof, be liable to a fine in any sum not to exceed fifty dollars, or to imprisonment for a period of not to exceed fifty days, or both.

[February 14, 1888.]

Driving on Sidewalk—Penalty.

SEC. 21.— Any person driving a team or leading, riding or driving any animal upon any sidewalk in this city, shall be liable for all damages accruing thereby, and to a fine of not less than one nor more than fifty dollars for every such offense; *Provided*, that nothing in this section shall be so construed as to prohibit persons from crossing the sidewalk to or from the adjoining premises with teams or animals.

[March 24, 1855; February 14, 1888.]

Games on Sidewalks or Streets Forbidden.

SEC. 22. All persons are hereby forbidden to obstruct the sidewalks or streets by games of any kind, playing of ball, quoits, marbles, jumping, rolling of hoops, flying of kites, to annoy or obstruct the free travel of any foot-passenger or team, under a penalty of not less than one nor more than fifty dollars, or imprisonment not to exceed twenty days, or both, for each offense, and to pay all damages.

[February 14, 1888.]

Canvas Awnings.

SEC. 23. No awning shall be constructed on or over any of the sidewalks within the limits of this city except as hereinafter provided. All canvas awnings shall be affixed to and suspended from the buildings, and where the sidewalks are not less than twenty feet wide they shall not project over the sidewalk to exceed ten feet, and no part of said awning shall be less than eight feet above the grade of the same; and where the sidewalks

are less than twenty feet in width, said awnings shall not project from the building to which they are suspended more than eight feet, and no part thereof shall be less than eight feet above the grade of the sidewalk.

[December 13, 1878.]

Permanent Awnings.

SEC. 24. All permanent porticos shall be constructed the entire width of the sidewalk; the outside line of the posts or supports of said porticos on sidewalks of twenty feet in width shall be uniformly nineteen feet from the line of the lots; and where the sidewalks are less than twenty feet in width, said posts or supports shall be uniformly within six inches of, and on a line with, the outer edge of the sidewalk. All such posts or supports shall be placed on substantial stone footings, and shall be of iron or stone. The deck or roof of said porticos shall be water-tight, and within the fire limits be covered with metal or other incombustible material, no part of which, on sidewalks twenty feet wide, shall be less than twelve feet above the grade; and on sidewalks less than twenty feet wide, not less than ten feet above the grade. The whole to be thoroughly braced and constructed in a safe and substantial manner, to the acceptance of the inspector of buildings. No such portico shall be constructed without the consent of the city council, and no wooden awning shall be permitted to be constructed in this city.

[December 13, 1878.]

Building Inspector to Approve.

SEC. 25. All persons, before erecting permanent awnings within the fire limits, shall submit plans and specifications, including the kinds of material to be used, to the inspector of buildings, for his approval.

[December 13, 1878.]

Signs on Sidewalk Forbidden—Bay Window.

SEC. 26. No sign nor sign post of any design or description shall hereafter be erected on any sidewalk or project over, across or along the outer edge of any sidewalk, or across any

water ditch, or on or over any street, or be allowed to project from the building to which it is attached over the sidewalk more than twenty-four inches; no bay window hereafter erected shall project over any sidewalk more than twenty-four inches.

[March 25, 1879.]

Penalty.

SEC. 27. Any person violating or failing to comply with any of the provisions of the four preceding sections shall be liable to a fine not to exceed one hundred dollars, or imprisonment not to exceed thirty days, or both.

[December 13, 1878; February 14, 1888.]

Carriage Steps or Platforms.

SEC. 28. Any person may erect carriage steps or platforms across the water ditch in front of his place of business or residence, not to exceed four feet long, three feet wide and two feet high, the work to be done to the acceptance of the city marshal.

[November 26, 1878; February 14, 1888.]

Weeds to Be Removed.

SEC. 29. Every owner, occupant or agent of any real property who shall neglect to cut and remove the weeds, where the same have become obnoxious, on the sidewalk or sidewalks in front of his premises, after three days' notice by the street supervisor to cut and remove the same, shall, on conviction thereof, be fined in any sum not exceeding twenty-five dollars.

[September 29, 1891.]

Loading on Sidewalk Forbidden.

SEC. 30. Whoever wilfully remains standing, lying or sitting down on any of the sidewalks of this city, or within twenty feet of the same, for a longer time than ten minutes, in such manner as to obstruct the free passage of foot travelers on any portion of the same, or who wilfully remains standing, lying or sitting thereon in said manner for more than two minutes after being requested to move on by the marshal or any police officer of said city, or who wilfully remains on the sidewalk in front of

any dwelling house or place of business which abuts on any of the sidewalks in this city, in such manner as to obstruct the free passage of any other person into or out of such dwelling house or place of business, without the consent or against the will of the proprietor thereof, shall be deemed guilty of a nuisance, and on conviction thereof shall be fined in any sum not to exceed ten (\$10) dollars.

[August 7, 1888.]

Snow to Be Removed from Sidewalks.

SEC. 31. In case of a snow, hail or sleet storm, between the hours of six o'clock in the morning and five o'clock in the afternoon, all paved sidewalks shall be cleared of such snow, hail or sleet within one hour after such storm ceases. In case of a storm between the hours of five o'clock in the afternoon and six o'clock in the morning, the paved sidewalks shall be cleared off before eight o'clock in the morning. Any person violating any of the provisions of this section shall be deemed guilty of a nuisance, and be fined in any sum not exceeding twenty dollars.

CHAPTER XLIV.

SLAUGHTER HOUSES.

Slaughtering in Fire Limits.

SECTION 1. It shall not be lawful for any person to slaughter any animal within the fire limits or for any person to erect any slaughter house or yard, or engage in the business of slaughtering, at any place other than such as may be designated by the city council.

[November 24, 1874; February 14, 1888.]

Record to Be Kept.

SEC. 2. All persons licensed as butchers or slaughterers shall keep a book in which they shall record a faithful description of the age, size and color of all animals by them killed, with the brands and marks thereon, together with the name of the person from whom received, and the time when killed, which book shall be open to the inspection of the public.

[November 24, 1874.]

Slaughter Houses to Be Cleaned.

SEC. 3. All persons engaged in the business of butchering or slaughtering, within the limits of this city, are hereby required to thoroughly cleanse their slaughter houses and yards once each twenty-four hours, and to remove from their premises and deposit all offal in such manner and at such place or places as may be designated by the health commissioner.

[November 24, 1874; February 14, 1888.]

Duty of Health Commissioner.

SEC. 4. It shall be the duty of the health commissioner, or his deputy (as often as he may deem necessary), to visit the slaughter houses within the limits of this city, to examine the

books and see that a faithful record is made of all animals killed, and that the slaughter houses are thoroughly cleansed, as herein provided.

[November 24, 1874; February 14, 1888.]

Penalty.

SEC. 5. Any person violating the provisions herein contained, in relation to butchers or slaughterers, shall be liable to a fine in any sum not less than twenty nor more than one hundred dollars; and on a second conviction, in addition thereto, his license may be declared forfeited.

[November 24, 1874.]

CHAPTER XLV.

SPRINKLING.

Notice to Be Published—Assessment.

SECTION 1. Before the city council of Salt Lake City shall cause any street, or portion thereof, within its limits to be sprinkled, the mayor, under the direction of the city council, shall publish a notice for at least twenty days in a newspaper published in said city, describing the location and extent of such proposed street sprinkling, with the lots or pieces of land affected or benefited thereby and abutting upon the street so to be sprinkled, with the estimated cost of the same, and designating the time fixed by the council for determining whether the proposed sprinkling shall be done. If at or before the time so fixed, written objections to such street sprinkling, signed by the owners of one-half in value of the property so to be affected

or benefited, as shown by the last preceding city assessment roll, be not filed with the city recorder, the city council may, in its discretion, order the sprinkling of such street, or portion thereof, and the cost for the same shall be defrayed by levying a local tax, according to the linear foot frontage on all the lots or parcels of land abutting upon the street so to be sprinkled, or otherwise, if the council so order, which shall be paid by the owners of said land.

[May 15, 1888.]

Supervisor of Streets.

SEC. 2. All street sprinkling done in pursuance of this chapter shall be executed under the supervision of the supervisor of streets.

[May 15, 1888.]

Assessor and Collector.

SEC. 3. The assessor and collector of Salt Lake City is hereby constituted the assessor and collector of said taxes for street sprinkling.

[May 15, 1888.]

Taxes to Constitute a Lien.

SEC. 4. All local taxes for street sprinkling or special assessments made, levied and assessed in accordance with the provisions of this chapter, and the costs of collecting the same, shall attach to and constitute a lien upon and against the property so assessed from and after the date of assessment, and they shall become payable and delinquent at the expiration of thirty days from the date of the assessment of the same, and they shall be collected in like manner as other city taxes.

[May 15, 1888.]

Sprinkling District Number One.

SEC. 5. Sprinkling district No. 1 of Salt Lake City is hereby created and its boundaries and area of streets defined as follows: Commencing at the intersection of South Temple and Tenth East streets and running thence south along the east line of Tenth East street to the south line of Fourth South street;

thence west along Fourth South street to east line of Ninth East street; thence south along Ninth East street to south line of Fifth South street; thence west along the south line of Fifth South street to the east line of Sixth East street; thence south along Sixth East street to north line of Ninth South street; thence west along Ninth South street to the west line of Fifth East street; thence north along the west line of Fifth East street to the north line of Seventh South street; thence west along Seventh South street to the east line of First East street; thence south along the east line of First East street to the north line of Ninth South street; thence west along Ninth South street to the west line of West Temple street; thence north along West Temple street to the north line of Seventh South street; thence west along Seventh South street to the west line of First West street; thence north along First West street to the south line of Fifth South street; thence west along Fifth South street to the west line of Second West street; thence north along the west line of Second West street to the south line of Third South street; thence west along the south line of Third South street to the east line of Fifth West street; thence north across Third South street to the north line of Third South street; thence east along the north line of Third South street to the west line of Second West street; thence north along the west line of Second West street to the south line of Second South street; thence west along the south line of Second South street to the east line of Fifth West street; thence north across Second South street to the north line of Second South street; thence east to the west line of Second West street; thence north along Second West street to the south line of First South street; thence west along the south line of First South street to the east line of Fourth West street; thence north across First South street to the north line of First South street; thence east to the west line of Second West street; thence north along the west line of Second West street to the south line of South Temple street; thence west along the south line of South Temple street to Third West street; thence north across South Temple street to the north line thereof; thence east to the west line of Second West street; thence north along Second West street to the south line of Third North street; thence east across Second West street to

the east line of Second West street; thence south to the north line of Second North street; thence east to the east line of First West street; thence south to the north line of First North street; thence east to the east line of West Temple street; thence south to the north line of North Temple street; thence east along the north line of North Temple street to the west line of East Temple street; thence north along the west line of East Temple street to First North street; thence east across East Temple street; thence south on the east line of East Temple street to the north line of North Temple street; thence east on the north line of North Temple street to the east line of First East street; thence south along the east line of First East street to the north line of South Temple street; thence east along the north line of South Temple street to the east line of Tenth East street, the place of beginning.

[March 17, 1891.]

Sprinkling District Number Two.

SEC. 6. Sprinkling district No. 2, of Salt Lake City, is hereby created and the boundaries of, and the territory included in said district, are described as follows, to-wit: All of First street from State street to S street; all of C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R and S streets from South Temple to First street; all of South Temple from Tenth East street to Thirteenth East street; all of First South street from Tenth East street to Thirteenth East street; all of Second South street from Tenth East street to Thirteenth East street; all of Eleventh and Twelfth East streets from South Temple street to Second South street; all of Thirteenth East street from First South street to Fifth South street; all of Cañon road from State street to Fourth street; all of Second West street from Third North street to the Warm Springs bath-house; and all of First West street from Second North street to the north line of Reed street, thence in a northwesterly direction across lots 8, 7, 6 and 5 in block 150, plat A, Salt Lake City survey, to the intersection with Second West street.

[June 11, 1892; July 21, 1892.]

CHAPTER XLVI.

STREETS.

Duty of Street Supervisor.

SECTION 1. It shall be the duty of the supervisor of streets to see that all ordinances, or orders of the city council, relating to streets, sidewalks and ditches, are complied with.

[March 3, 1860 ; February 14, 1888.]

Report Quarterly—Custodian of Property.

SEC. 2. The supervisor shall make a full report quarterly, in writing, to the city council, of all work done, where done, and of all moneys expended in his department, and for what purpose; and it shall also be his duty to take charge of all tools, material or property belonging to the city and employed in working on the streets.

[March 3, 1860 ; February 14, 1888.]

Further Duties of Supervisor.

SEC. 3. The supervisor of streets shall see that all statutes, ordinances, orders and regulations, respecting the use or occupation of portions of streets for the purpose of erecting, altering, repairing or removing buildings, are observed and enforced.

[February 14, 1888.]

Defects to Be Repaired.

SEC. 4. All notices of defects in public streets, which are received by any officer or person in the employ of the city, shall be sent to the office of the supervisor of streets, and he or some competent person detailed by him shall, without delay, examine the locality of the alleged defect, and if upon examination it appears that the defect is of such a character as to endanger the

safety of public travel, and that the city is liable for its repair, he shall cause it to be immediately repaired ; and, until such repair is completed, he shall do whatever may be necessary to protect the public from injury by reason of the defect.

[February 14, 1888.]

Restoration After Excavation.

SEC. 5. When an excavation for any purpose is made or permitted in a public street by order of a department of the city government, the street shall, as soon as the purpose for which the excavation was made has been accomplished, be restored to a condition entirely satisfactory to the supervisor of streets, and if it is not so restored, although it may not be dangerous to public travel, the said supervisor shall notify the department which ordered or permitted the excavation to be made to make forthwith such further repairs as he deems necessary, and if such department neglects so to do, the said supervisor shall cause such repairs to be made, and shall charge such department therefor.

[February 14, 1888.]

Written License from Street Supervisor.

SEC. 6. No person who is in the employ of the city shall break or dig up, or assist in breaking or digging up, any part of a public street, or remove any gravel or other similar thing from a public street, unless he, or the head of the department under whose direction said work is being done, has first obtained from the street supervisor a written license therefor.

[February 14, 1888.]

Penalty for Failure to Restore Street.

SEC. 7. Whoever, by virtue of such a license, breaks or digs up, or causes to be dug or broken up, any part of a public street, shall, within such time as the street supervisor, or some person by him authorized, may order, cause such street to be repaired and amended to the satisfaction of the said supervisor, and if he neglects or refuses so to do, he shall be liable to a penalty of not less than five nor more than fifty dollars for each day during which the neglect or refusal continues.

[February 14, 1888.]

No Excavation Without License.

SEC. 8. No person shall make, or cause to be made, an excavation in a street, for any purpose whatever, without a license from the city council, or from some person authorized by the said council, and subject to such regulations as the said council may prescribe. Every application for such a license shall be made in writing and signed by the applicant, and shall set forth the dimensions of the proposed excavation and the purpose for which it is to be used; and every such license shall provide that the excavation licensed shall not be used for any purpose other than that stated in the application, and may at any time be revoked by the said council. But no excavation of or under a sidewalk shall be made, the inner face of the wall of which extends further than to a line ten feet inside the line of the outer edge of the sidewalk.

[February 14, 1888.]

Guard Around Excavations—Lights—Penalty.

SEC. 9. When an excavation is made in a street, for any purpose, the person by or for whom such excavation has been made shall cause a rail or other sufficient fence to be placed so as to enclose such excavation, and the dirt, gravel or other material thrown therefrom, and such fence shall be maintained during the whole time for which the excavation continues; and he shall also cause a lighted lantern, or some other proper and sufficient light, to be fixed to some part of such fence, or in some other proper manner over or near the excavation, and over or near the dirt, gravel or other material taken therefrom, and so kept from the beginning of twilight through the whole of every night during all the time such excavation exists. Whoever maliciously or wantonly, and without legal cause, extinguishes or diminishes a light fixed in accordance with the provisions of this section shall be liable to a penalty of not more than fifty dollars.

[February 14, 1888.]

Permits for Building Material.

SEC. 10. Whoever desires to occupy or use a portion of a street for the erection or repair of a building upon land abut-

ting thereon shall make application to the supervisor of streets, who, subject to the direction of the city council, may grant permits for the occupation or use, for building purposes, of such portions of streets, and for such periods of time and under such limitations and restrictions as may be required by ordinance or by the public convenience; and any such permit may be revoked by the said supervisor, at any time, when the holder thereof fails to comply with any rule or regulation under which it is granted, or when, in the opinion of the said supervisor, the public good requires such revocation. No part of a street other than that so allotted shall be used for depositing materials for work to be done or for receiving rubbish arising from such work, and all such rubbish shall be carried away by the person to whom the permit is granted, at such times as the city council or the said supervisor may direct, and in case of the neglect or refusal of such person so to remove such rubbish, it shall be removed, at his expense, by the supervisor of streets.

[February 14, 1888.]

Board Fence and Plank Walk.

SEC. 11. Whoever is duly licensed or permitted to occupy a part of the street while erecting or repairing a building, or making an excavation, or for any other purpose, before commencing such work shall build around such portion of the street to be so occupied a board fence not less than five (5) feet high, all openings in said fence to be provided with gates opening in, and all work shall be done on the inside of such fence; also build a good, substantial plank walk, four (4) feet in width, for public travel, around the obstruction so caused, and shall be responsible to the city for all injuries sustained by any person in consequence of his neglect to do so, and he shall at any time, when requested by the supervisor of streets, or by a police officer, exhibit his license or permit for such occupancy. Whoever is licensed as provided in this section who shall violate any provision of this section shall forfeit his license or permit, and in addition thereto shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than one hundred dollars or more than three hundred dollars.

[April 29, 1890.]

Dropping Stones in Street Forbidden. —

SEC. 12. Any person who shall throw, cast or put into, drop and leave in any street or public place in Salt Lake City, any stones, gravel, dirt, manure or garbage, or allow the same either intentionally or carelessly to drop or be thrown from any wagon or other vehicle driven through the streets of the city and allow the same to remain without immediately removing it, shall, on conviction, be fined in a sum not less than five dollars nor more than one hundred dollars for each and every offense.

[May 21, 1889; May 13, 1890.]

Prohibiting Distribution of Advertisements.

SEC. 13. Any person who shall distribute in any manner any circular, hand bill or any advertisement whatever, in and upon the following portions of streets of Salt Lake City, to-wit: That portion of East Temple street from South Temple street to Third South street; that portion of South Temple street from West Temple street to State street; that portion of First South street from West Temple street to State street; that portion of Second South street from West Temple street to State Street; that portion of Third South street from West Temple street to State Street; that portion of West Temple street from South Temple street to Third South street; that portion of State street from South Temple street to Third South street and all of Commercial street, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not exceeding twenty-five dollars for each and every offense.

[May 26, 1891.]

Owners to Set Hitching Posts—Iron Rings.

SEC. 14. All persons owning buildings within the limits of said city may set one or more posts in the street, if said streets be eight rods wide, twenty-five feet from the front line of their lots; and if said street be five rods wide, said posts shall be set twelve feet from the front line of their lots. When the water ditches interfere, a variation may be made sufficient to clear such ditch; where streets are of less width than five rods, said posts shall be set one foot from the outer edge of the water

ditch ; said posts must be set in a good, substantial manner, suitable for securing horses or other animals ; *Provided, however*, that in the paved districts, where streets are paved and curbed, no posts shall be used, but iron rings shall be sunk in the sidewalk for the purpose of hitching horses.

[February 14, 1888.]

Owners Must Hitch Teams.

SEC. 15. Any person having charge of, or being the driver of a team, shall, while such team is standing in the streets or any public place of said city, stand near the head of the same, or have hold of the lines attached to them, or secure them by a weight of not less than twenty pounds, or otherwise secure them to some post or other substantial place of fastening prepared for that purpose. Any person violating any of the provisions of sections 14 and 15 of this chapter shall be liable to a fine in any sum not less than two nor more than fifty dollars for each offense.

[February 14, 1888.]

Names of Streets.

SEC. 16. All the streets as plotted in the several surveys of Salt Lake City shall be known by names as follows : The street running on the south side of what is known as the Temple block of said city shall be known by the name of South Temple street, and the next one south as First South street, and so on in regular order of number to the southern limits of said city. The street running on the west side of said Temple block shall be known by the name of West Temple street, and the next one west as First West street, and so on in regular order of number to the western limits of said city. The street running on the north side of said Temple block shall be known by the name of North Temple street, and the next one north as First North street, and so on, all eight-rod streets, in regular order of number to the northern limits of said city. The street running on the east side of said Temple block shall be known by the name of East Temple street, the next one east as State street, the next one east of State street as Second East street, and so on in regular order of number to the eastern limits of said city.

The street running north and south through block 70, plat A, Salt Lake City survey, shall be known as Commercial street.

[February 28, 1860; February 14, 1888; May 12, 1891.]

Streets in Plots I, D and G.

SEC. 17. The streets commencing on the north side of South Temple street, in plots I, D and G, and running north, shall be designated by the letters of the alphabet, as follows: The first street east of First East street to be named and called A street, the second, running parallel therewith, B street, the third C street, and so on to the eastern extremity of the city.

The streets commencing at the western extremity of plots D and I, and running east, shall be designated by numbers, as follows: The first street north of South Temple street to be called First street, the second, running parallel therewith, Second street, the third Third street, and so on to the northern extremity of the city.

The street commencing at First East street and meandering along the western limits of plots I and D, up City Creek cañon, shall be designated and called Cañon road.

[November 6, 1883.]

Certain Other Streets Named.

SEC. 18. The street beginning at the north end of East Temple street, running north to Arsenal block, shall be called Arsenal street; the street commencing near the south end of Arsenal street, running in a northwesterly direction, terminating on First West street, shall be called Center street; the next street east, running parallel with Center street, shall be called Oak street; the next street east, running nearly parallel with Oak street, joining the city wall, shall be called Wall street; the street lying immediately east of Wall street, between blocks 30 and 35, 31 and 34, and 32 and 33, plat E, Salt Lake City survey, and running parallel with said Wall street, shall be called Green street; the street running south from Peach street to Second North street shall be called Quince street.

The street running on the east side of the Arsenal block shall be called Strawberry street; the street running on the

north line of said Arsenal block shall be called Currant street; the street running on the west line of said Arsenal block shall be called Pine street; and the street running on the south line of said Arsenal block shall be called Grove street.

The street commencing at First North street and the northern terminus of West Temple street, running directly north twenty rods, thence west ten rods, thence north to Second North street, shall be called Apple street; that the street commencing at the western terminus of Currant street, running north to Quince street, shall be called Locust street; the street running from Center to Currant street shall be called Vine street; the street running from Center to Vine street shall be called Cedar street; the street running from First North street to Currant street, nearly parallel with Vine street, shall be called Grape street.

The second street north of the Arsenal block, running from First West to Wall street, shall be called Apricot street; the next street north, running from First West to Wall street, shall be called Plum street; the next street north, running from First West to Wall street, shall be called Peach street; the next street north, running from First West to Wall street, shall be called Pear street; the next street north, running from Center to Wall street, shall be called Cane street; the next street north, running from First West to Wall street, shall be called Fir street; the street running from Currant to Apricot street shall be called Almond street; and the aforementioned streets are hereby declared public streets of Salt Lake City.

[November 6, 1883; November 8, 1887; February 14, 1888.]

Houses to Be Numbered.

SEC. 19. It shall be the duty of the city marshal to furnish each owner of any house situate upon any street, lane or alley, within the limits of Salt Lake City, a written copy of the correct number to which said house is entitled; and each owner shall, within thirty days after such notice, cause a painted, carved or cast duplicate of such number to be placed in a conspicuous position upon such house, in a permanent and durable manner.

[August 2, 1883.]

System of Numbering—Initial Point.

SEC. 20. The city marshal, in numbering houses upon the streets of the city, shall adhere in all respects to the following system of numeration, allowing fifty numbers to each side of all blocks of six hundred and sixty feet in length:

The initial point shall be the junction of East Temple and South Temple streets, and the numbering shall extend thence east, west, north and south, the even numbers always on the right and odd numbers on the left, looking away from the initial point.

To number East Temple street and all other streets parallel therewith, and lying south of South Temple street, commence at the southeast corner of the junction of said streets severally with South Temple street, and number one, with number two opposite, and number southward to the southern limits of the city.

To number East Temple street and all other streets parallel therewith lying north of South Temple street and west of survey plot I, commence at the northwest corner of the junction of said streets severally with South Temple street, and number one, with number two opposite, and number northward to the northern termination of said streets respectively.

To number South Temple and all other streets parallel therewith and lying east of East Temple street and south of South Temple street, commence at the northeast corner of the junction of said streets with East Temple street, and number one, with number two opposite, and number eastward to the eastern limits of the city; *Provided*, that in numbering the north side of South Temple street, east of First East street, the numbers shall be so placed as to run consecutively with the numbers on the south side of said street, and as nearly opposite each other as the difference in size of the blocks will admit.

To number South Temple street and all streets running parallel therewith, and lying west of East Temple street, commence at the southwest corner of the junction of said streets respectively with East Temple street, and number one, with number two opposite, and number westward to the Jordan river.

Provided, that all numbers of houses on streets running

east from East Temple street shall have added thereto the letter E., signifying east; that all numbers of houses on streets running west from East Temple street shall have added thereto the letter W., signifying west; that all numbers of houses on streets running south from South Temple street and West of Second East street shall have added thereto the letter S., signifying south; and that all numbers of houses on streets west of A street, running north from South Temple street, shall have added thereto the letter N., signifying north.

[August 2, 1883; February 14, 1888.]

Numbering in Plots D, G and I.

SEC. 21. In numbering those portions of the city included in survey plots D, G and I, lying north of South Temple street and East of First East street, there shall be allowed twenty-five numbers to each side of all blocks of three hundred and thirty feet.

To number A street and all streets running parallel therewith, commence at the west corner of the junction of said streets with South Temple street, and number one, with number two opposite, and number northward to the northern termination of said streets respectively.

To number First street and all other streets running parallel therewith, commence at the north corner of the junction of said streets with First East street or Cañon road, as the case may be, and number one, with number two opposite, and number eastward to the eastern termination of said streets.

[August 2, 1883; February 14, 1888.]

Numbering in Plot E.

SEC. 22. In numbering that portion of the city included in survey plot "E," there shall be allowed one number to each rod of frontage.

To number Center street and all other streets running northerly and southerly in said plot "E," commence at the west corner of the junction of said streets severally with First North street, or the west corner of the southern terminus of said streets severally, and number one, with number two opposite, and number northward to the northern termination of said streets.

To number Currant street and all other streets running easterly and westerly, commence at the north corner of the junction of said streets with First West street, or Quince street, and number one, with number two opposite, and number eastward to the eastern termination of said streets respectively.

[August 2, 1883.]

Commercial and Other Streets.

SEC. 23. Commercial street, and all other streets running through any block within the city, but not extending to the initial points, shall be numbered separately, beginning at number one, and be numbered in the same order and in accordance with the system herein described.

[August 2, 1883.]

District Numbering Forbidden.

SEC. 24. Hereafter no block or row of houses shall be designated by a distinct numbering of the houses situated therein.

[August 2, 1883.]

Penalty.

SEC. 25. Any failure to comply with the provisions of the foregoing six sections shall subject the party offending to a fine not exceeding five dollars for each offense.

[August 2, 1883.]

Paving Streets or Alleys.

SEC. 26. Whenever the city council shall deem it necessary to pave, macadamize or repair any street or alley within the city limits it shall determine the character, quality, extent and location of such proposed improvement, and cause an estimate to be made by the city engineer of the cost thereof, name the paving district specially to be benefited or affected by the same, and shall include only lots and lands abutting upon the streets and alleys to be paved, macadamized or repaired, in proportion to the square feet or feet front, or both, so abutting upon such streets and alleys, and for that purpose the city council shall

create suitable paving districts in the city, which shall be consecutively numbered.

The council shall set a time when it will meet to hear and consider objections or protests to the paving, repaving, macadamizing or repairing such streets or alleys, or the defraying of the expense thereof by local assessment ; *Provided*, that one-half the expense of bringing streets and alleys or parts thereof to the established grade, shall be paid out of the general fund of the city. The final action of the council in respect to the matters mentioned in this section shall be entered and preserved in the city records.

[May 29, 1890 ; April 14, 1891.]

Notice of Intention.

SEC. 27. The city council shall next cause a notice of its intention to make the improvements and defray the cost and expense thereof by local assessment, describing the proposed improvement, naming the paying district thereof to be affected or benefited by the same, the estimated cost thereof, and designating the time set for the hearing, mentioned in the last section, to be published at least twenty (20) days in a newspaper published within the city, which notice shall be substantially in the following form :

“Notice is hereby given by the city council of Salt Lake City of the intention of such council to make the following described improvement, to-wit :and defray the cost and expense thereof, estimated at.....dollars, by a local assessment upon the lots and lands within Paving District Number.....of Salt Lake City, abutting upon the streets and alleys to be affected or benefited by said improvement, namely :.....

All objections to the carrying out of such intention must be presented in writing to the city recorder, on or before theday of.....18..., being the time set by said council when it will hear and consider such objections as may be made thereto.

By order of the city council of Salt Lake City.

[April 14, 1891.]City Recorder.”

Board of Public Works.

SEC. 28. After the expiration of twenty (20) days, and on the day designated in the notice, the council shall meet, and, if written objections to the making of the improvement, signed by the owners of one-half of the front feet abutting upon that portion of the street, avenue or alley to be so improved, be not filed with the recorder, the council shall have jurisdiction to order the making of such improvements.

If the council shall determine to proceed with the improvement, it shall make an order, which shall be entered of record in the minutes of its proceedings, authorizing and directing the work to be done and improvement to be made under the supervision of the board of public works, and shall apportion and assess the cost of the improvement, as specified in the notice, upon the lots and lands abutting upon the streets and alleys within such paving district to be affected or benefited by such improvement, in proportion to the square feet or feet front, or both, so abutting upon such streets and alleys, and to the extent of the benefits to such lots, parts of lots, lands and real estate by reason of such improvements, such benefits to be equal and uniform, and an allowance may be made for corner lots so that they shall not be assessed at full rates on both streets, according to such rules as the board of equalization shall consider fair and equitable; *Provided*, that the cost of paving, macadamizing or repairing the intersections of streets and space opposite alleys in any paving district, shall be paid by the city.

[April 14, 1891.]

Ordinance Levying Tax.

SEC. 29. The council shall next make an ordinance levying the tax for the assessment of the property in accordance with the apportionment and determination of the council, which apportionment shall be fully set forth in such ordinance, the total costs of the improvements shall be levied at one time upon the property to be affected thereby, and the ordinance shall also designate by number the paving district embracing the property to be taxed.

[April 14, 1891.]

To List and Assess Property.

SEC. 30. A copy of the ordinance, certified to by the recorder, under the corporate seal of the city, shall be delivered to the city assessor and collector, who shall immediately proceed to list and assess the property, according to the apportionment set forth in said ordinance, stating the name of the owner, or, if unknown, then stating the number and dimensions of each lot or piece of ground and the amount of the tax levied thereon, but it shall be sufficient to describe the lot or piece of ground as the same is platted and recorded. He shall also make a plat to accompany said list, showing the location of the improvement and the position of the respective lots or pieces of ground assessed with reference to the same, and shall return and lodge said list and plat, when completed, with the recorder, within ten (10) days after the receipt of such order, or such further time as the council may allow.

[April 14, 1891.]

Board of Equalization and Review.

SEC. 31. Upon the completion of the list mentioned in section 30 of this chapter, the city council shall appoint five of its members as a board of equalization and review, and the list shall be placed in the hands of said board, and the said board shall give not less than ten (10) days' public notice, by publication in some newspaper published within the city, of the completion of said list, and appoint not less than five consecutive days upon which they will meet during the usual business hours, and state the place of its meeting, and during the time specified the lists shall be open to public inspection, and any person or persons feeling themselves aggrieved shall have hearing before said board, and the said board shall have authority and power to make correction of any tax deemed by them unequal or unjust. The city assessor and collector shall be present at each session of said board, and note upon said list such corrections and changes as may be ordered by the board, and when said list is completed the council shall make an ordinance confirming the assessment set forth in the list as corrected by the board of equalization, a copy of which ordinance, certified to by the recorder, under the corporate seal, together with such

corrected list, shall be delivered to the city assessor and collector, and shall constitute his warrant for the collection of said taxes.

[April 14, 1891.]

Notice to Be Published.

SEC. 32. Said assessor and collector, upon the receipt of the certified copy aforesaid, shall, without delay, give at least five days' notice in one or more newspapers having general circulation in Salt Lake City, of the time when such tax shall become delinquent.

[April 14, 1891.]

Personal Notice to Taxpayer.

SEC. 33. Upon the receipt of the corrected list and ordinance confirming the assessment aforesaid, the assessor and collector shall collect the assessment in like manner as in other cases of special taxes, and shall furnish to each taxpayer, by mail, postage prepaid, or leave at his residence or usual place of business (if known), a notice of the amount of tax assessed against him, and when and where payable.

[April 14, 1891.]

When Taxes Become Delinquent.

SEC. 34. All assessments and special taxes levied for the purpose of paving the public streets, avenues and alleys in said city shall become delinquent as follows:

One-fourth of the total amount of said assessment shall become delinquent in three months after the levy for such purposes has been made; one-fourth in nine months after such levy; one-fourth in fifteen months after such levy, and one-fourth in twenty-one months after such levy. This section shall apply to all paving districts heretofore established, as well as to all paving districts which may hereafter be established.

[April 26, 1892.]

Entire Cost May Be Paid in Fifty Days.

SEC. 35. The entire cost of making such improvement as aforesaid, properly chargeable to any lots or lands within any

paving district, may be paid by the owner of such lots or lands within fifty (50) days from the levy of such special taxes, and thereupon such lots or lands shall be exempt from any lien or charge therefor.

[April 14, 1891.]

Payments to City Treasurer.

SEC. 36. The assessor and collector shall pay over to the city treasurer all moneys collected by him at the end of each month, or sooner, if required by the council.

[April 14, 1891.]

Curbing and Guttering.

SEC. 37. Whenever the city council shall deem it necessary to curb, or curb and gutter any street or avenue within the city limits, it shall determine the character, quality, extent and location of such proposed improvement, and cause an estimate to be made by the city engineer of the cost thereof; name the paving district or part thereof specially to be benefited or affected by the same, and shall include only lots and lands abutting upon the streets and avenues to be curbed or curbed and guttered in proportion to the square feet or feet front, or both, so abutting upon such streets and avenues.

The council shall set a time when it will meet to hear and consider objections and protests to the curbing or curbing and guttering streets or avenues, or the defraying of the expense thereof by local assessment. The final action of the council in respect to the matters mentioned in this section shall be entered and preserved in the city records.

[June 3, 1890.]

Notice of Intention.

SEC. 38. The city council shall next cause a notice of its intention to make the improvement and defray the cost and expense thereof by local assessment, describing the proposed improvement, naming the paving district, or part thereof, to be affected or benefited by the same, the estimated cost thereof, and designating the time set for the hearing mentioned in the last section, to be published at least twenty days in a newspaper

published within the city, which notice shall be substantially in the following form:

Notice is hereby given by the city council of Salt Lake City, of the intention of such council to make the following described improvement, to-wit: and defray the cost and expense thereof estimated atdollars, by a local assessment upon the lots and lands within paving district number.....of Salt Lake City, abutting upon the streets and avenues to be affected or benefited by said improvement, namely.....

All objections to the carrying out of such intention must be presented in writing to the city recorder, on or before theday of.....189..., being the time set by said council when it will hear and consider such objections as may be made thereto.

By order of the city council of Salt Lake City.

.....City Recorder.

[June 3, 1890.]

Board of Public Works.

SEC. 39. After the expiration of twenty days and on the day designated in the notice, the council shall meet, and if written objections to the making of the improvement, signed by owners of one-half of the front feet abutting upon that portion of the street or avenue to be so improved be not filed with the recorder, the council shall hear and consider such objections, if any, as have been made.

If the council shall determine to proceed with the improvement, it shall make an order, which shall be entered of record in the minutes of its proceedings, authorizing and directing the work to be done and improvement to be made, under the supervision of the board of public works, and shall apportion and assess the cost of the improvement, or the part thereof, as specified in the notice, upon the lots and lands abutting on the streets and avenues within such paving district to be affected or benefited by such improvement, in proportion to the square feet or feet front, or both, so abutting upon such streets and avenues, and to the extent of the benefits to such lots, parts of lots, lands and real estate by reason of such improvement, such benefits to

be equal and uniform, and an allowance may be made for corner lots, so that they shall not be assessed at full rates on both streets, according to such rules as the board of equalization shall consider fair and equitable; *Provided*, that the cost of curbing or curbing and guttering the space opposite alleys shall be paid by the said city.

[June 3, 1890.]

Ordinance Levying Tax.

SEC. 40. The council shall next make an ordinance levying the tax, and for the assessment of the property in accordance with the apportionment and determination of the council, which apportionment shall be fully set forth in such ordinance, the total cost of the improvement shall be levied at one time upon the property affected thereby, and the ordinance shall also designate by number the paving district embracing the property to be taxed.

[June 3, 1890.]

To List and Assess Property.

SEC. 41. A copy of the ordinance, certified to by the recorder, under the corporate seal of the city, shall be delivered to the city assessor and collector, who shall immediately proceed to list and assess the property, according to the apportionment set forth in said ordinance, stating the name of the owner, or, if unknown, then so stating the number and dimensions of each lot or piece of ground, and the amount of the tax levied thereon; but it shall be sufficient to describe the lot or piece of ground as the same is platted and recorded. He shall also make a plat to accompany said list, showing the location of the improvement and the position of the respective lots or pieces of ground assessed, with reference to the same, and shall return and lodge said list and plat, when completed, with the recorder, within ten days after the receipt of such order, or such further time as the council may allow.

[June 3, 1890.]

Board of Equalization and Review.

SEC. 42. Upon the completion of the list mentioned in section 41 of this chapter, the city council shall appoint five of

its members as a board of equalization and review, and the list shall be placed in the hands of said board, and the said board shall give not less than ten days' public notice, by publication in some newspaper published within the city, of the completion of said list, and appoint not less than five consecutive days upon which they will meet during the usual business hours, state the place of its meeting, and during the time specified the list shall be open to public inspection, and any person or persons feeling themselves aggrieved shall have hearing before said board, and the said board shall have authority to make correction of any tax deemed by them unjust. The city assessor and collector shall be present at each session of said board, and note upon said list such corrections and changes as may be ordered by the board, and when said list is completed, the council shall make an ordinance confirming the assessment set forth in the list as corrected by the board of equalization, a copy of which ordinance, certified by the recorder under the corporate seal, together with such corrected list, shall be delivered to the city assessor and collector, and shall constitute his warrant for the collection of said taxes.

[June 3, 1890.]

Notice to Be Published.

SEC. 43. Said assessor and collector, upon the receipt of the certified copy aforesaid, shall, without delay, give at least five days' notice, in one or more newspapers, having general circulation in Salt Lake City, of the time when such tax shall become delinquent.

[June 3, 1890.]

Personal Notice to Taxpayer.

SEC. 44. Upon receipt of the corrected list and ordinance confirming the assessment aforesaid, the assessor and collector shall collect the assessment in like manner as in other cases of special taxes, and shall furnish to each taxpayer by mail, postage prepaid, or leave at his residence or usual place of business (if known), a notice of the amount of tax assessed against him and when and where payable.

[June 3, 1890.]

When Taxes Become Delinquent.

SEC. 45. All assessments and special taxes levied for the purpose of curbing or curbing and guttering any of the public streets, avenues or alleys in said city, shall become delinquent as follows: One-fourth of the total amount of said assessment shall become delinquent in three months after the levy for such purposes has been made; one-fourth in nine months after such levy; one-fourth in fifteen months after such levy, and one-fourth in twenty-one months after such levy. This section shall apply to all curbing districts heretofore established as well as to all curbing districts which may hereafter be established.

Entire Cost May Be Paid in Fifty Days.

SEC. 46. The entire cost of making such improvement as aforesaid, properly chargeable to any lots or lands within any paving district, may be paid by the owner of such lots or lands within fifty days from the levy of such special taxes, and thereupon such lots or lands shall be exempt from any lien or charge therefor.

[June 3, 1890.]

Payments to City Treasurer.

SEC. 47. The assessor and collector shall pay over to the city treasury all moneys collected by him, at the end of each month, or sooner if required by the council.

[June 3, 1890.]

Water and Sewer Connections.

SEC. 48. Thirty days before the work of paving any street is begun, the superintendent of water works and sewer construction shall be notified and required to put in all necessary water and sewer connections, between the water mains and sewer lateral, and the curb lines of the street proposed to be paved, and the gas company shall be likewise notified and required to lay all necessary gas pipes, in order to connect the property abutting on said street with the gas mains. In case the said gas company neglect or fail to do the same, then the board of public works may cause the same to be done, and the cost thereof shall be deducted from any indebtedness of the city to said company,

and no bills shall be paid to said company by the city until all such expenses for gas pipe laying shall have been liquidated. All owners of property on such streets shall be notified at least thirty days by publication in some newspaper printed and published in the city of Salt Lake before the work of paving any street is begun, and required to make the necessary connection for water and sewers across the sidewalk to the property lines, and in case said property owners neglect or refuse to do the same, it shall be done by the city, and the cost thereof shall be assessed upon the property opposite such connections, of the parties refusing to make such connections to such depths as the council sitting as a board of equalization shall deem just and equitable.

[June 10, 1890.]

Paving Districts.

SEC. 49. The following paving districts are hereby created, defined and established in Salt Lake City, viz :

District No. 1—Shall be and consist of all that portion of State street of said city, being and lying between the north line of Fourth South street of said city, at the intersection of said streets, and the south line of South Temple street of said city, at the intersection of said State street with said South Temple street, together with all the lots and parts of lots of land abutting or fronting on both sides of said State street and situated between said intersections, and prorated and scaled back east and west to the depth of fifty feet from their respective fronts on the east and west sides of said State street.

District No. 2—Shall be and consist of all that portion of East Temple street of said city being and lying between the north line of Fourth South street of said city, at the intersection of said streets, and the south line of South Temple street of said city, at the intersection of said East Temple street with said South Temple street, together with all the lots and parts of lots of land abutting or fronting on both sides of said East Temple street and situated between said intersections, and prorated and scaled back east and west to the depth of fifty feet from their respective fronts on the east and west sides of said East Temple street.

District No. 3—Shall be and consist of all that portion of

West Temple street of said city, being and lying between the north line of Fourth South street of said city, at the intersection of said streets, and the south line of South Temple street of said city, at the intersection of said West Temple street with said South Temple street, together with all the lots and parts of lots of land abutting or fronting on both sides of said West Temple street and situated between said intersections, and prorated and scaled back east and west to the depth of fifty feet from their respective fronts on the east and west sides of West Temple street.

District No. 4—Shall be and consist of all that portion of First South street of said city, being and lying between the east line of West Temple street of said city, at the intersection of said streets, and the west line of State street in said city, at the intersection of said First South street with said State street, together with all the lots and parts of lots of land abutting or fronting on both sides of said First South street and situated between said intersections, and prorated and scaled back north and south to the depth of fifty feet from their respective fronts on the north and south sides of said First South street.

District No. 5—Shall be and consist of all that portion of Second South street of said city, being and lying between the east line of West Temple street of said city, at the intersection of said streets and the west line of State street in said city, at the intersection of said Second South street with said State street, together with all the lots and parts of lots of land abutting or fronting on both sides of said Second South street and situated between said intersections, and prorated and scaled back north and south to the depth of fifty feet from their respective fronts on the north and south sides of said Second South street.

District No. 6—Shall be and consist of all that portion of Third South street of said city, being and lying between the east line of West Temple street of said city, at the intersection of said streets and the west line of State street in said city, at the intersection of said Third South street with said State street, together with all the lots and parts of lots of land abutting or fronting on both sides of said Third South street and situated between said intersections, and prorated and scaled

back north and south to the depth of fifty feet from their respective fronts on the north and south sides of said Third South street.

[June 3, 1890; September 2, 1890; April 21, 1891; May 12, 1891; May 19, 1891.]

District No. 7—All of South Temple street from the west line of State street to the east line of West Temple street, and all of First South street from the east line of State street to the west line of Second East street, and all of Second South street from the east line of State street to the west line of Second East street, and all of Third South street from the east line of State street to the west line of Second East street; also all of First South street from the west line of West Temple street to the east line of First West street, and all of Second South street from the west line of West Temple street to the east line of First West street.

District No. 8—All of Market street.

District No. 9—All of Franklin avenue.

All of the above named streets and parts of streets and avenue lying and being within the limits of Salt Lake City.

[May 10, 1892.]

CHAPTER XLVII.

STREET RAILWAYS.

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD
COMPANY.

**Franchise to Salt Lake City Railroad Company for
Twenty Years.***

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the "Salt Lake City Railroad Company," its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

Beginning for the main line at a point about ten rods north from where South Temple street intersects Third West street, in Salt Lake City, county of Salt Lake, Territory of Utah; thence south a distance of about fourteen rods; thence east on South Temple street to West Temple street; thence south on West Temple street to First South street; thence east on First South street to East Temple street; thence south on East Temple street to Third South street; thence east on Third South street to Seventh East street; thence south on Seventh East

* For earlier franchises granted Salt Lake City Railroad Company see ordinances passed March 1, 1872; April 9, 1872; April 26, 1872; September 13, 1872; February 11, 1873; May 27, 1873; January 6, 1876, and February 5, 1878, to be found in Books B and C of ordinances in the office of the city recorder.

street to the intersection of Ninth South and Seventh East streets.

A branch line beginning at the point of connection with the main line at the intersection of South Temple and West Temple streets, and running thence east on South Temple street to East Temple street.

A branch line beginning at the point of connection with the main line at the intersection of West Temple street and First South street, running thence east on First South street to the Fort Douglas military reservation.

A branch line beginning at the point of connection with the main line at the intersection of East Temple and First South streets, running thence north on East Temple street to the intersection of South Temple street; thence east on South Temple street to the Fort Douglas military reservation.

A branch line beginning at the point of connection with the branch line at the intersection of South Temple street and E street and running thence north on E street to Third street; thence east on Third street to the Fort Douglas military reservation.

A branch line beginning at the point of connection with the main line, at the intersection of Second West and South Temple streets, thence north on Second West street, to the Warm Springs bath-houses, which are located on block 168, plot A, Salt Lake City survey.

A branch line beginning at the point of connection with the main line at the intersection of East Temple street and Third South street, thence south on East Temple street to Fifth South street; thence west on Fifth South street to the River Jordan.

A branch line beginning at the point of connection with the branch line at the intersection of East Temple street and Fifth South street; thence east on Fifth South street to Fifth East street; thence south on Fifth East street to Ninth South street.

A branch line beginning at the point of connection with the main line at the intersection of West Temple street and First South street; thence west on First South street to the River Jordan.

A branch line beginning at the point of connection with the main line at the intersection of East Temple street and Third South street; thence west on Third South street to the River Jordan.

A branch line beginning at the point of connection with the branch line at the intersection of First South and Fifth West streets; and running thence south on Fifth West street to the branch line at the intersection of Fifth West street and Third South street.

A branch line beginning at the point of connection with the branch line at the intersection of Fifth West street and Second South street; thence east on Second South street to Tenth East street; thence south on Tenth East street to Fourth South street, on the following conditions, viz:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside the track, and a space two feet each side of the same, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon, each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulations of the same, and that the track or tracks shall be constructed in the center of the streets unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the

roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury at the rate of not exceeding twenty-five dollars per annum, for each and every car used upon its lines, but otherwise said company shall not be liable to pay any *per capita* tax whatever.

SEC. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz: That if the grantee, its successors and assigns shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote declare the privileges herein granted forfeited, and proceed to take possession of the road bed, and control the same as if this resolution had not been passed.

SEC. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, laying gas or water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

SEC. 4. That in the construction and operation of said railway the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

SEC. 5. That Salt Lake City shall in no way be liable or responsible for any damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the said grantee and its successors and assigns or

their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former.

SEC. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within sixty (60) days after the passage of this resolution, the same shall become void and of no effect.

SEC. 7. Unless the cars upon at least four miles of the track of said company be operated by electric or cable motive power within six months from the date of the passage of this resolution, the franchise hereinbefore granted to said company shall become null and void.

[January 26, A. D. 1889.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD COMPANY.

Franchise to Salt Lake City Railroad Company for Twenty Years.*

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the "Salt Lake City Railroad Company," its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

Along Ninth East street from South Temple street to Ninth South street; along Ninth South street from Fifth East street to Ninth East street; along East Temple street from Fifth South street to Ninth South street; along Second West street from South Temple street to Eighth South street; thence westward along Eighth South street to the Jordan river; along East Temple street from South Temple to First North street; along West Temple street from South Temple street to First North street; thence along First North street one block to First West street; thence along First West street to Wall street; thence along Wall street to the Warm springs; along Fifth West street from First South street to Ninth North street; along Second North street from First West street to Eleventh West street; along Ninth South street from Fifth East street to East Temple street; along Second South street from Fifth West street to Sixth West street, on the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, its successors and assigns aforesaid, are hereby required to keep in good repair with the

* Confirmed and made absolute January 20, 1891.

same material and in the same manner as the rest of the street is or may be paved, the space inside the track, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council.

[The remainder of this section, beginning with the words "And the grantees aforesaid," and sections two, three, four and five of this resolution, are exactly identical in language to the like numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company, passed January 26, 1889. See pages 436-7.]

SEC. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days after said acceptance, or if work be not completed on at least five miles of said road within nine months after said acceptance, then this grant and franchise shall become null and void.

[February 11, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD
COMPANY.

Franchise to Salt Lake City Railroad Company for Twenty Years.*

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake City Railroad Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a single or double track street railroad, together with all the necessary

*Confirmed and made absolute January 20, 1891.

switches for the accommodation of said road, on the following streets of said city, namely:

First—Commencing at the intersection of Ninth East and Ninth South streets, thence east on Ninth South Street to Eleventh East street, thence south on said street to the southern limits of Salt Lake City.

Second—On First East street, from South Temple street to First Street, from intersection of First East and First streets, east on First street to center of A street, thence north on A street to Third street, thence east on Third street to E street. Also commencing on Third Street at intersection with B street, to Sixth street, thence east on Sixth street to city cemetery.

Third—Commencing at the intersection of Fourth South and Tenth East streets, thence south to Fifth South street, thence east on Fifth South street to the Mount Olivet cemetery.

Fourth—On North Temple street, from Fifth West street west to the city limits.

Fifth—On North Temple street west from East Temple street to West Temple street.

Sixth—On Fifth South street east from Fifth East street to Ninth East street.

Provided, that on First street, First East street, on A street between First and Second streets, on Tenth East street, on Fifth South street between Tenth and Eleventh East streets, and on North Temple street between East Temple and West Temple streets, said company be restricted to a single track and no switches unless authorized by the city council.

On the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the same manner as the rest of the street is or may be paved, the space inside the tracks, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad

with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water-courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway, and on such streets as are paved flat rails shall be used, and good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of $1\frac{1}{4}$ mills for each and every fare collected.

[Sections two, three and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company, passed January 26, 1889. See page 437.]

SEC. 4. That in the construction and operation of said railway the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a fran-

chise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, grantee herein shall allow running arrangements over grantee's tracks to such other company on streets where said grantee may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days after said acceptance, then this grant shall become null and void.

The number of miles of track completed upon the lines hereinbefore described within six months after the passage of this resolution shall be credited to said company, and be deemed and accepted as in performance of the requirement contained in section 6 of the resolution granting a franchise to said company, adopted February 11, 1890, to complete five miles of road within nine months after the acceptance of said grant, and all rights on that portion of streets herein granted on which said road is not actually constructed and operated within three years after such acceptance, shall at once be forfeited to the city.

[May 20, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD COMPANY.

Franchise to Salt Lake City Railroad Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake City Railroad Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a single or

double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely :

Commencing at the intersection of Ninth South and Seventh East streets, thence south on Seventh East street to the city limits, thence west on Roper street to Sixth East street.

On the following conditions, namely :

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the same manner as the rest of the street is or may be paved, the space inside the track, and a space two feet each side the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe ; *Provided*, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulations of the same, and that the track or tracks shall be constructed in the center of the street, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets, for all purposes ; and that the water courses of said street be left free and unobstructed ; said track to be laid upon a good foundation, even with the surface of the roadway ; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor ; that when said streets

shall be paved flat rails shall be used thereon. The price of a single passage shall not exceed 5 cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of $1\frac{1}{4}$ mills for each and every fare collected on said line.

[Sections two, three, four and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company passed January 26, 1889. See page 437.]

SEC. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, and that if work be not commenced within three months and the road completed and in operation within one year after the acceptance of this grant, then this grant shall become null and void.

[September 23, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO L. C. HAMILTON.

Franchise to L. C. Hamilton for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That L. C. Hamilton, his heirs and assigns, have the authority and consent of the council, and the permission is hereby granted, to construct, maintain and operate a single or double-track street railway, as hereinafter specified, to be operated by steam dummy, horse, electric or cable power, with all the necessary or convenient switches, side tracks, turnouts and cross-over tracks, on the following streets and roads of Salt Lake City, to-wit:

Commencing at the intersection of Sixth West and Second South streets, and running thence west along Second South street to the west boundary line of section three (3), township one (1) south, of range one (1) west, Salt Lake meridian.

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, his heirs and assigns aforesaid, are hereby required to pave and keep in repair the space inside and between the tracks, and a space of two feet on each side of the same, with the same material as is used now or may hereafter be used on the street where such track is laid; and the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public shall require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same; and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor; the track to be laid and the road to be operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid on good foundation even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere whenever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantee shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantee, and all tracks constructed by said grantee wherever streets shall be paved shall be with the flat rail; and upon such streets as are but four rods wide said grantee shall construct no more than one track, and no switches, unless authorized by the city council; and the space between double tracks, or between main track or any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed

ten cents, and no charge shall be made in excess thereof. Said grantee shall pay into the city treasury a per capita tax of one and one-quarter mills for each and every fare collected, payable quarterly.

SEC. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, his heirs and assigns, shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said grantee, his heirs or assigns, to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the road-bed and control the same, as if this resolution had not passed.

SEC. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City, or its authorized agents, from sewerage or laying gas and water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

SEC. 4. That in the construction and operation of said railroad the grantee, and his heirs and assigns, shall at all times conform to such ordinances, rules and regulations as have been, or may hereafter be, adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

SEC. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railway company a franchise over the street herein granted, to secure such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company where said grantee have double tracks, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 6. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the

construction or operation of said railway by reason of the default or misconduct of said grantee, his successors and assigns, or their employés, and the acceptance of this grant shall be deemed an agreement on the part of said grantee for himself, his heirs and assigns to save the said city harmless from and against all liabilities, loss, costs, expenses and damage of any nature, arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and in case any judgment should be recovered against said city for any such default, misconduct or accident, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and his successors and assigns, and conclusive as to the liability of the latter to the former; *Provided*, said grantee has had notice of the pendency of the suit in which judgment is recovered, and has been given an opportunity to defend the same.

SEC. 7. That the city council may order a change of motive power from the steam dummy to the electric, cable or other system, whenever in the judgment of the city council public interest demands a change, and it shall be the duty of the grantee herein to make such change within six months from the date of such order.

SEC. 8. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, or if work shall not be commenced within sixty days after said acceptance, or if work be not completed on the streets and roads hereinbefore designated and the road be operated within twelve months after said acceptance, then this grant and franchise shall become null and void. And all rights on that portion of streets herein granted, on which said road is not actually constructed and operated within one year after such acceptance, shall at once be forfeited to the city.

[January 20, 1891.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD COMPANY.

Franchise to Salt Lake City Railroad Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake City Railroad Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power, a single or double-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—Commencing at the intersection of First South street and Eighth West street, thence south along Eighth West street to the intersection of Second South street.

Second—Commencing at the intersection of Fourth East street and Ninth South street, thence south upon so much of Fourth East street as has been dedicated to public use for a street to the south boundary of Tenth South or Roper street.

[The remainder of this section, beginning with the words, "on the following conditions, viz:" is similar to the identical portion of section one of the resolution passed May 20, 1890, granting a franchise to Salt Lake City Railroad Company. See page 441.]

[Sections two, three and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company, passed January 26, 1889. See page 437.]

SEC. 4. That in the construction and operation of said railway, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall

be liable to a fine in any sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's tracks so used.

SEC. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days, and the road completed and in operation within two years after said acceptance, then this grant shall become null and void.

[May 5, 1891.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD COMPANY.

Franchise to Salt Lake City Railroad Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake City Railroad Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a single track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely :

First—From the intersection of East Temple street and First North street, thence along Center street to the intersection of First West street.

Second—From the intersection of East Temple street and First North street, thence north along East Temple or Arsenal street to Currant street.

Third—From the southwest corner of what is designated the Arsenal block in "W. H. Whitney's map of Salt Lake City and environs, 1890," thence east along the street on the south side of said Arsenal block into the street on the east side thereof; thence north along said street to the center of Currant street.

On the following conditions, viz:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair, with the same material and in the manner as the rest of the street is or may be paved, the space inside the tracks, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of the said railroad and its switches, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, and that the trolley wire (if electricity be used) shall be suspended from wires attached to poles at or near the curb line of the street, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway, and whenever

streets shall be paved flat rails shall be used on such streets, and that good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of $1\frac{1}{4}$ mills for each and every fare collected.

[Sections two and three are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company passed January 26, 1889. See page 437.]

SEC. 4. That in the construction and operation of said railway, the said grantee, and its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee and its successors and assigns or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said

railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; *Provided*, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

SEC. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within ninety days, and the road along Center street, from First North street to First West street, completed within twelve months after said acceptance, this grant shall become null and void; and as to all streets herein granted, upon which the road shall not be completed and in operation within eighteen months after the date of said acceptance, this grant shall become null and void.

[September 8, 1891.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE CITY RAILROAD
COMPANY.

Franchise to Salt Lake City Railroad Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake City Railroad Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a double track

street railroad, together with all the necessary switches and turnouts for the accommodation of said road, on the following streets of said city, namely:

From the center of the intersection of First South street and West Temple street, thence south on West Temple street to Tenth South or Roper street; thence east on Tenth South or Roper street to the center of East Temple or Main street; *Provided*, that on said West Temple street, from Ninth South street south to Roper street, a single track only shall be laid; and *provided further*, that the property owners dedicate a continuous strip of land at least ten feet in width abutting on and adjacent to said street to the city, for street purposes, between Ninth South and Roper streets, on said West Temple street.

On the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the manner as the rest of the street is, or may be, paved, the space inside the tracks, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed; and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of the said railroad, and its switches and turnouts, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all

purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets; and that good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of one and one-quarter mills for each and every fare collected.

[Sections two, three and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company, passed January 26, 1889. See page 437.]

[Section four is identical in language with section four in the resolution granting a franchise to the Salt Lake City Railroad Company, passed September 8, 1891. See page 452.]

SEC. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within ninety days, and the road completed and in operation within one year after said acceptance, then this grant shall become null and void.

[November 24, A. D. 1891.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE RAPID TRANSIT COMPANY.

Franchise to Salt Lake Rapid Transit Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake Rapid Transit Company, its successors and assigns, have the authority and consent of the

city council, and the permission is hereby granted it, to construct and operate by horse, electric, or cable motive power, a single or double-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

Along Fourth South street from the west line of the military reservation of Fort Douglas to the Jordan river.

Along Seventh South street from the west line of the military reservation of Fort Douglas to the Jordan river.

Along West Temple street from Seventh South street to First South street.

Along Fifth West street from Third South street to Seventh South street.

Along Third West street from Second South street to Ninth North street.

From the corner of First East street and First North street along First East street, or so much thereof as may be owned by the city, to Wall street; thence along Wall street by the most practicable route to Ninth North street; thence west along Ninth North street to Third West street.

Along Seventh West street from Seventh South street to Ninth North street; thence along Ninth North street from Seventh West street to Tenth West street, and thence northward along Marion boulevard to Beck's Hot Springs; *Provided*, that the rights of way hereby granted shall not be deemed to cover any streets to which Salt Lake City has no right or in which it has not title, although such streets may be named herein.

On the following conditions, viz: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair, with the same material and in the same manner as the rest of the street is or may be paved, the space inside the track, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee

aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulations of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury at the rate of not exceeding twenty-five dollars per annum for each and every car used upon its lines, but otherwise said company shall not be liable to any per capita tax whatever.

SEC. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz: That if the grantee, its successors and assigns, shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote declare the privileges herein granted forfeited, and proceed to take possession of the road-bed, and control the same as if this resolution had not been passed.

SEC. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving,

sewering, laying gas or water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

SEC. 4. That in the construction and operation of said railway, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city, in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

SEC. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the said grantee and its successors and assigns or their employés, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; *Provided*, said grantee has had due notice of the pendency of the suit in which such judgment is recovered and has been given an opportunity to defend the same.

SEC. 6. That if this grant with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days after said acceptance, or if work be not completed on at least five miles of said

road within nine months after said acceptance, then this grant and franchise shall become null and void.

[February 11, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE RAPID TRANSIT COMPANY.

Franchise to Salt Lake Rapid Transit Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake Rapid Transit Company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power, a single or double-track street railroad, together with all the necessary switches for accommodation of said road, on the following streets of said city, namely:

Along First East street from the present terminus of said company's franchise on First North street, south to the south limits of Salt Lake City.

Along Eighth East street from Seventh South street to the south line of Ninth South street.

Along Ninth East street from Ninth South street to the south limits of Salt Lake City.

Along Tenth South street (being the street south of Liberty Park) from Ninth East street to west line of Seventh East street, and from west line of Fourth East street to First East street along Third East street from Fourth South street to south limits of the city.

On the following conditions, viz: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, its successors and assigns aforesaid, are hereby

required to keep in good repair the space inside and between the tracks, and a space of two feet on each side of the same with the same material as is used on the street where such track is laid, and also to use no steam power unless the same be stationary on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon, each and every day both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of the streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor, and upon such portion of streets herein granted as are only partially graded, said grantees shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantees, and all tracks constructed by said grantees wherever streets shall be paved, shall be with the flat rail; and on such streets as are but four rods wide said grantees shall construct no more than one track and no switches, and the space between double tracks, or between main track or any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof; said company shall pay

into the city treasury a per capita tax of $1\frac{1}{4}$ mills for each and every fare collected.

[Sections two, three and four are identical in language with the like numbered sections in the preceding franchise to the Rapid Transit Company granted February 11, 1890. See pages 457-8.]

SEC. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantees herein shall allow running arrangements over grantees' tracks to such other company on streets where said grantees may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantees' track so used.

[Section six is identical in language with section five in the preceding franchise to the Rapid Transit Company granted February 11, 1890. See page 458.]

SEC. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantees within thirty days after the passage of this resolution, together with a relinquishment to Salt Lake City of said grantees' franchise on West Temple street, or if work be not commenced within sixty days after said acceptance, or if work be not completed on the whole of First East street, south from North Temple street, within six months after said acceptance, and said street double-tracked between South Temple street and Fourth South street within one year after said acceptance (the number of miles so constructed to be credited and accepted for said grantees as a portion of the five miles required of them to be built upon the franchise heretofore granted them by the city council of Salt Lake City), then this grant and franchise shall become null and void.

[April 22, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO THE SALT LAKE RAPID TRANSIT COMPANY.

Franchise to Salt Lake Rapid Transit Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Salt Lake Rapid Transit Company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by electric or cable motive power, a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—Along Ninth East street from the center of Seventh South street to the south line of Ninth South street.

Second—Commencing on Seventh South street at the east bank of Jordan river and running thence west to Oquirrh street, thence south on Oquirrh street to Indiana avenue, and thence west on Indiana avenue to the county road west of Glendale park.

Third—Along North Temple street from First East street to Third West street, thence south on Third West street to South Temple street.

Fourth—Along Ninth North street from Third West street to Seventh West street.

Fifth—Along First street from First East street to Fort Douglas reservation.

Sixth—Commencing on A street at the intersection of First street and running thence north on A street to Second street, thence east on Second street to C street, thence north on C street to Fifth street, thence east on Fifth street to the cemetery.

Seventh—Along Sixth East street from Fourth South street to Ninth South street.

Eighth—Commencing on Tenth East street at the intersection of Fourth South street and running thence south on Tenth East street to Fifth South street, thence east on Fifth South street to Eleventh East street, thence south on Eleventh East street to Sixth South street, east on Sixth South street to Twelfth East street, thence over so much of the streets as may be vested in the city, south on Twelfth East street to Eighth South street, east on Eighth South street to Thirteenth East street, south on Thirteenth East street to Ninth South street, thence east on Ninth South street to the center of section 10, township 1 south, range 1 east.

Ninth—Along Second South street from First East street to Seventh West street.

On the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, its successors and assigns as aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same with the same material as is used on the street where such track is laid, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good

foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantee shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantee; and all tracks constructed by said grantee wherever streets shall be paved shall be with the flat rail; and on the portions herein granted of Indiana avenue, Ninth East street, Tenth East street, Fifth South street and Second South street, and on such streets as are but four rods wide, said grantee shall construct no more than one track, and no switches, and the space between double tracks, or between main track and any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of $1\frac{1}{4}$ mills for each and every fare collected.

[Sections two, three, four, five and six are identical in language with the like numbered sections in the preceding franchise to the Rapid Transit Company, granted April 22, 1890. See pages 457, 458, 461.]

SEC. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, together with a relinquishment to Salt Lake City of said grantee's franchise on Eighth East street, then this grant and franchise shall become null and void, and all rights on that portion of streets herein granted, on which said road is not actually constructed and operated within three years after such acceptance, shall at once be forfeited to the city.

[May 6, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO C. E. WANTLAND, W. H. IRVINE, J. T. M'NARY, HARVEY HARDY, GEORGE CRISMON AND H. M. M'CARTNEY FOR A STREET RAILWAY.

Franchise to C. E. Wantland et al. for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That C. E. Wantland, W. H. Irvine, J. T. McNary, Harvey Hardy, George Crismon and H. M. McCartney, their successors and assigns, have the authority and consent of the council, and the permission is hereby granted them, to construct and operate by horse, electric or cable motive power a single-track street railroad, together with all the necessary switches for the accommodation of said road, on the following street of said city, namely:

Along Tenth South street (being the street south of Liberty Park), from Eleventh East street to Seventh East street.

On the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantees, their successors and assigns aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and

in any other matters connected with the regulation of the same; and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, in such manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation even with the surface of the roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of the streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantees shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantees; and all tracks constructed by said grantees, wherever streets shall be paved, shall be with the flat rail. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a *per capita* tax of $1\frac{1}{4}$ mills for each and every fare collected.

[Sections two, three, four, five and six are identical in language with the like numbered sections in the franchise to the Rapid Transit Company, granted April 22, 1890. See pages 457, 458, 461.]

SEC. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantees within thirty days after the passage of this resolution, or if work be not commenced within sixty days after said acceptance, or if work be not completed within one year after said acceptance, then this grant and franchise shall become null and void.

[June 24, 1890.]

A RESOLUTION

GRANTING A FRANCHISE TO THE POPPERTON PLACE AND FORT DOUGLAS RAPID TRANSIT COMPANY.

Franchise to Popperton Place and Fort Douglas Rapid Transit Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the Popperton Place and Fort Douglas Rapid Transit Company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by electric or cable motive power, a single-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely: Along Fourth street from Popperton Place to D street; along D street from Fourth street to South Temple street; along Second street from Popperton Place to T street; along T street from Second street to the south line of First street, on the following conditions, viz: Such track or tracks to be laid on such grades as are now, or may hereafter, be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in

the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. And all tracks constructed by said grantee, wherever streets shall be paved, shall be with the flat rail, and the space between main track and any switches shall not exceed seven feet, unless authorized by the city council. And that the trolley wire (if electricity be used) shall be suspended from wires attached to poles at or near the curb line of the street.

The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a *per capita* tax of $1\frac{1}{4}$ mills for each and every fare collected from travel on the lines herein granted.

SEC. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns, shall fail to perform any of the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy or make satisfactory arrangement therefor, may by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the road-bed and control the same as if this resolution had not been passed.

SEC. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, or laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets men-

tioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railroad and the operating thereof.

SEC. 4. That in the construction and operation of said railroad the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city, in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company on streets where said grantee may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of said grantee and its successors and assigns, or their employés, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee for itself and successors and assigns to save the said city harmless from and against all liability, loss, costs, expense and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and said grantee and its successors and assigns, and conclusive as to the liabilities of the latter to the former; *Provided*, said grantee has had notice of the pendency of the suit in

which said judgment is recovered, and had been given an opportunity to defend the same.

SEC. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, then this grant and franchise shall become null and void. And all rights on that portion of streets herein granted on which said road is not actually constructed within eighteen months after such acceptance, shall be forfeited to the city.

[September 8, A. D. 1891.]

A RESOLUTION

GRANTING A FRANCHISE TO THE WEST SIDE RAPID TRANSIT COMPANY.

Franchise to West Side Rapid Transit Company for Twenty Years.

SECTION 1. *Be it Resolved by the City Council of Salt Lake City:* That the West Side Rapid Transit Company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by any motive power, excepting only animal or steam locomotive, a single or double-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets and roads of said city, to-wit: Commencing at the intersection of Second South and First West streets; thence South along First West street to Sixth South street; thence west along Sixth South street to Eighth West street; thence south along Eighth West street to Eighth South street; thence west on Eighth South street to the west bank of the River Jordan; thence west along Indiana avenue to the county road, running north and south upon the center line of section ten, township one south, range one west; thence south along said county road forty-six rods, more or less, to the intersection of said county road with a county road run-

ning east and west; thence west along said last-named road to the city limits.

Also, commencing at the intersection of Sixth South and Second West streets, thence south along Second West street to Tenth South or Roper street; thence west along said last-named street to the west bank of the Jordan river; thence west along that certain street designated in the official plat of Burlington Place as Colorado street to the street designated as First street in the official plat of Glendale Park Addition; thence south along said First street to the county road running along the southerly boundary of said Glendale Park Addition; thence west along said last-named county road to the city limits.

Also, commencing at the intersection of Indiana avenue and that certain street designated as Second street in the official plat of Glendale Park Addition, south along said Second street to the road running east and west upon the southerly boundary of said Glendale Park Addition.

On the following conditions, viz:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid; and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; *Provided*, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street

supervisor, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water-courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the surface of the roadway, and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantee shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantee; and all tracks constructed by said grantee wherever streets shall be paved shall be with the flat rail; and on such streets as are but four rods wide, and on Indiana avenue, said grantee shall construct no more than one track, and no switches, and the space between double tracks, or between main track or any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a *per capita* tax of one and one-quarter mills for each and every fare collected.

SEC. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz: That if the grantee, its successors and assigns shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on part of said company to provide a remedy or make satisfactory arrangement therefor, may, by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the road-bed, and control the same as if this resolution had not passed.

SEC. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, or laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improve-

ments shall be made with as little injury as practicable to said railways and the operating thereof.

SEC. 4. That in the construction and operation of said railroad, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

SEC. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company on streets where said grantee may have double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

SEC. 6. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of said grantee and its successors and assigns, or its employés, and the acceptance of this grant shall be deemed an agreement on the part of said grantee for itself and successors and assigns to save the said city harmless from and against all liability, loss, costs, expenses and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; *Provided*, said grantee has had notice of the pendency of the suit in which such judgment is recovered, and has been given an opportunity to defend the same.

SEC. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, or if work be not commenced within sixty days after said acceptance, or if work be not completed on four miles of the streets and roads hereinbefore designated within six months after said acceptance, then this grant and franchise shall become null and void, and all rights on streets herein granted on which said road is not actually constructed and operated within five years after such acceptance, shall at once be forfeited to the city.

SEC. 8. Permission is hereby granted to the West Side Rapid Transit Company, its successors or assigns, to use and operate upon a portion of the streets and roads hereinbefore enumerated, a steam dummy or motor, said dummy or motor to be of the pattern and design ordinarily used and operated upon street railways; *Provided, however*, that this shall not be construed to grant to the said company or its successors or assigns permission to allow its road or track to be used by any railroad company other than a street railroad company. The street and roads over which permission is hereby granted to use and operate steam dummies or motors are the following, to-wit: Commencing at the intersection of Seventh South and Second West streets, thence south along Second West street to Tenth South or Roper street, thence west along said last named street to the west bank of the Jordan river, thence west along that certain street designated in the official plat of Burlington Place as Colorado street, to the street designated as First street in the official plat of Glendale Park Addition, thence south along said First street to the county road running along the southerly boundary of said Glendale Park Addition, thence west along said last named county road to the city limits.

Whenever, in the wisdom of the city council, public interests demand the change of motive power from the steam dummy or motor to the electric or cable system, they may so order, and it shall be the duty of the grantee herein to make the change within six months from the date of such order.

[May 2, 1890; July 1, 1890.]

CHAPTER XLVIII.

SUNDRY EXPENSE FUND.

The Council to Appropriate.

SECTION 1. A sundry expense fund is hereby created, to which from time to time, as shall be deemed necessary, the city council shall appropriate funds to meet and pay such expenses of the city the payment of which is not otherwise provided for by ordinance. The said fund shall be under the control of the mayor and auditor of public accounts, who shall audit and pay all bills justly chargeable to said fund.

[May 20, 1890.]

CHAPTER XLIX.

TAXATION.**For Municipal Purposes.**

SECTION 1. All property within the corporate limits of Salt Lake City which now is or which may hereafter be made taxable for county or Territorial purposes by the laws of the Territory of Utah, shall be assessed and taxed for municipal purposes.

The assessment on all property taxable as aforesaid and the collection of all general taxes levied for municipal purposes in said city shall be made in the manner now, or which may hereafter be provided by the laws of the Territory for the assessment of property, for the collection of taxes for county and Territorial purposes and the redemption from tax sales.

CHAPTER L.

TELEGRAPH, TELEPHONE AND ELECTRIC WIRES AND POLES.

Permit from City Engineer.

SECTION 1. No person, firm or corporation shall erect any telegraph, telephone, electric light, electric railroad or any other poles in any of the streets of Salt Lake City, except in strict pursuance of a permit from the city engineer, which permit must be on the ground during the whole time the work of erecting any such pole or poles is in progress, and exhibited to any policeman or other person who ask to see it.

[September 9, 1890.]

Applications for Permits.

SEC. 2. All applications for permits must be made in writing, signed by the corporation, firm or person desiring to erect any such pole or poles, showing the place or places where such pole or poles are proposed to be erected, said application to be left with the city engineer to be filed in his office.

[September 9, 1890.]

When Permit Not to Issue.

SEC. 3. No permit shall be granted by the city engineer for the erection of any pole or poles in any of the streets of Salt Lake City when the erection of the same would in any way interfere with any sewer or sewer connection, or gas or water mains or pipes, or which in any other way would interfere with the free use of said streets.

[September 9, 1890.]

Unlawful to Erect Certain Poles.

SEC. 4. It shall be unlawful for any person or corporation to erect or maintain any pole or other obstruction at the center of the intersection of any of the streets of Salt Lake City, to be used for any other purpose than that of lighting said streets,
[February 11, 1890.]

Company Erecting to Give Bond.

SEC. 5. Before any person, copartnership or company shall erect or maintain, any telegraph, telephone or electric light poles or lines within the corporate limits of Salt Lake City, he or they shall enter into a bond to the city in the sum of twenty-five thousand dollars to keep said city indemnified for or on account of any and all damages that may be caused by reason of the erection, management or use of such telegraph, telephone or electric light poles or lines in said city.

[February 14, 1888.]

Supervisor Shall Direct Construction.

SEC. 6. Any person, copartnership or company who shall erect any telegraph, telephone or electric light lines in Salt Lake City, shall construct the same under the direction of the street supervisor, and in such manner and place as the city council may by ordinance or resolution prescribe.

[February 14, 1888.]

Height and Size of Poles.

SEC. 7. Any person, copartnership or company who shall erect or place in position for telegraph or telephone purposes, any pole or poles, shall have the same of a height sufficient so that the lowest wire shall be at least thirty feet from the ground, and no pole for either of the above purposes shall be less than six inches in diameter at the top.

[February 14, 1888.]

Electric Light Poles and Wires.

SEC. 8. Any person, copartnership or company, who shall erect, place in position, or maintain for electric light purposes,

any pole or poles, shall have the same so that the lowest wire shall be at least twenty-three feet from the ground at the lowest point, and the highest wire shall not exceed twenty-seven feet from the ground, except where it may be necessary to raise any of such wires higher than twenty-seven feet for the purpose of crossing electric street-car wires and to avoid coming in contact with the trolley arm of the street-cars, and no pole for this purpose shall be less than six inches in diameter at the top; and so far as practicable said electric light line shall be erected on the opposite side of any street or alley to that which is occupied by wires of a telegraph or telephone line; *Provided*, that in any case where any street may be occupied on one side by telegraph wires and upon the other side by telephone wires, and it is desired to erect electric light wires along one side only of the said street, such electric light wires shall be placed under the telegraph wires and not under the telephone wires.

[September 23, 1890.]

Electric Light Wires Crossing Other Wires.

SEC. 9. Whenever it is necessary for an electric light wire to approach or cross the line of any alarm and police telegraph, telegraph or telephone line, the same shall not approach to or cross at a distance of less than three feet either above or below said fire alarm and police telegraph, telegraph or telephone wire, and shall be securely fastened on supports placed as near as practicable to said fire alarm and police telegraph, telegraph or telephone lines, or shall be carried in troughs or boxes across the route of said fire alarm and police telegraph, telegraph or telephone lines, so constructed and placed as to prevent the electric light and telegraph or telephone lines coming in direct contact in case either should break or become detached from fixtures. No wires used as conductors for electric lighting purposes shall be so erected or placed as to interfere, by contact, induction or otherwise, with the successful operation of any fire alarm and police telegraph, telegraph or telephone wire, circuit or instrument. Whenever any such wire, used as a conductor for electric lighting purposes, shall be so erected, placed or maintained as to violate any of the provisions of this chapter,

or so as to interfere, by contact, induction or otherwise, with the successful operation of any fire alarm and police telegraph, telegraph or telephone line, circuit or instrument, any proper city authority, and any corporation or person owning or entitled to the use of any such fire alarm and police telegraph, telegraph and telephone wire, circuit or instrument, may serve upon the person, company or corporation, or the managing agent or officer thereof, operating any such wires used for electric lighting purposes, a written notice, stating the manner and place where such wires are so erected, placed or maintained, and upon receipt of such notice it shall be the duty of such person, company, corporation, agent or officer so served to remove all such wires specified in such notice which are erected, placed or maintained in violation of any of the provisions of this chapter.

[February 14, 1888; September 23, 1890.]

One Hundred Wires—Poles Peeled and Painted.

SEC. 10. No person, copartnership or company, who shall erect or maintain telephone, telegraph or other poles in the streets of said city, shall string to exceed one hundred separate wires upon the same. All poles erected for the purposes set forth in this chapter shall have the bark peeled from the same and be neatly trimmed of knots, and otherwise present a neat appearance, and within the fire limits shall be painted black ten feet from the surface of the ground and the remainder white, and they shall not be erected or set nearer than six feet to any gas or water main or service pipe, nor shall they vary more than six inches from a perpendicular position.

[February 14, 1888.]

Fire Alarm or Police Telegraph.

SEC. 11. In case the corporation of Salt Lake City desire at any time to put in operation any fire alarm or police telegraph system, it reserves to itself the right to use the top of, or a space near the top of, any and all telegraph and telephone poles, free of expense, for the purpose of attaching wires thereto for the purpose of use in said fire alarm or police telegraph, and the granting of any franchise to any person, copartnership

or company to erect poles for any of the purposes indicated in this chapter shall be with the above reservation of privilege or right.

[February 14, 1888.]

Penalties.

SEC. 12. Any person, copartnership or company not having the right and authority to do so, who shall wilfully or negligently injure, pull down, break or deface any telegraph, telephone or electric-light pole or wire, or who shall violate or fail to comply with any provision or requirement of the foregoing sections of this chapter, shall, upon conviction thereof, be fined not less than five dollars nor more than one hundred dollars.

[February 14, 1888.]

CHAPTER LI.

TREASURER.

Custodian of City Funds.

SECTION 1. The treasurer shall receive all moneys belonging to the city, whether the same be raised by taxation or otherwise, and shall be the custodian of all the property of the city, the custody of which is not otherwise provided for. He shall disburse the funds and surrender the property of the city only upon orders signed by the auditor of public accounts, except as hereinafter provided. He shall keep, in suitable books, a full account of all receipts and disbursements, with the names of persons paying or receiving such funds, and the objects thereof, and shall, semi-annually, on or before the fifteenth day of January and the fifteenth day of July, in each year, present to the city council a full report of his receipts and disbursements, with vouchers for all sums disbursed.

[January 4, 1859; February 14, 1888.]

Delivery of Property to Successor.

SEC. 2. The treasurer's books of account shall be the property of the city, and shall, together with moneys, papers or other property in his possession belonging to the city, be delivered to his successor in office immediately after said successor shall have been duly elected and qualified.

[January 4, 1859; February 14, 1888.]

Deputy Treasurer.

SEC. 3. The deputy treasurer shall attend to the collection of city licenses and such other duties as may be required of him by the city treasurer.

[October 21, 1890.]

License Inspector.

SEC. 4. The license inspector shall see to the renewal of all licenses, ascertain who are doing business without license, and be subject to the orders of the treasurer.

CHAPTER LII.

VACANCIES.**City Council to Fill.**

SECTION 1. In case any vacancy may exist in any elective office of the city, the city council shall appoint a suitable person to fill said vacancy, who shall qualify and give bond in the same manner, perform the same duties, and be subject to the same liabilities as the officer whose office shall become vacant, and he shall hold office until his successor shall be duly elected and qualified, unless sooner removed by the city council for cause.

[December 16, 1890.]

CHAPTER LIII.

VEHICLES.

License for Public Conveyances.

SECTION 1. It shall be unlawful for any person to engage in the business of hotel runner, or run, keep or use for hire, for the carrying or conveying of persons, any public hackney coach, cab, omnibus, express wagon, carriage, wagonette, or any public passenger vehicle of any description or name whatsoever, using the streets of Salt Lake City for trade or traffic, without a license first had and obtained so to do.

[June 14, 1887.]

Hack Stands.

SEC. 2. The following localities are hereby established as stands for public vehicles:

First—On the west side of State street, between South Temple and First South streets.

Second—On the west side of Third West street, twenty feet north of South Temple street, and on the north side of South Temple street, twenty feet west of Third West street.

Third—On the south side of First South street, ten rods east of Fourth West street.

Fourth—After ten o'clock p. m., any street in the city, except immediately in front of theaters.

[June 14, 1887; February 14, 1888.]

Hackman to Remain Within Six Feet.

SEC. 3. No person following the employment of hackman, cabman, omnibus driver, coach driver, or driver of any passenger vehicle, or soliciting patronage for any such vehicle, shall, while actually engaged in his employment as such at any

railroad depot, leave his hack, omnibus, coach or express wagon, or other vehicle, but shall remain within six feet of said coach, hack, omnibus, express wagon, or other vehicle, except it be to secure, when requested, the baggage of his passengers.

[June 14, 1887; February 14, 1888.]

Fraud Prohibited.

SEC. 4. No runner, hackman, omnibus driver, expressman, porter, cabman, or person carrying passengers, or soliciting for passenger vehicles, shall induce or attempt to induce any person to employ him to convey such person, by either knowingly or wantonly misinforming or misleading such person as to the time or place of the arrival or departure of any railroad train, or other conveyance, or the location of any railroad depot, office, station or ticket office, or the location of any hotel, stage office, public place, or private residence within said city, nor shall he practice any deceit, fraud or misrepresentation in any manner whatever relative to matters pertaining to his business.

[June 14, 1887.]

Shall Keep Off Railroad Cars.

SEC. 5. No person following the employment of runner, hackman, omnibus driver, expressman, hotel runner, porter or driver of any passenger vehicle, shall enter into or upon any railroad depot, or upon any passage or landing leading thereto, while actually engaged in his employment as such; *Provided, however,* that nothing herein shall prevent the persons herein named from entering in and upon any railroad car, depot or passage leading thereto for the purpose of getting the baggage of any passenger arriving at or departing from the city, after having first obtained and exhibited to any policeman or person in charge of such railroad car, depot, passage or landing, the check or checks of such passenger for his baggage.

[June 14, 1887.]

Disorderly Conduct.

SEC. 6. No runner, hackman, hotel runner, omnibus driver, expressman, porter, or driver of any passenger vehicle shall, at any time or place when waiting for or engaged in his employ-

ment, obstruct any street or sidewalk, make any unusual noise or disturbance, unnecessarily snap or flourish his whip, use any indecent, profane or obscene language, or be guilty of any boisterous or loud talking, or solicitation of passengers, or business, or any disorderly conduct, or use any language or be guilty of any conduct calculated to disturb the public peace or good order of the city, or harass, vex, annoy or disturb any person there being or passing; or interfere with, obstruct or impede the free passage of passengers or other persons to or from any depot, train, or depot grounds, or seize or grasp or interfere with any baggage carried by or belonging to said passengers or persons, unless by their request.

Must Keep on Stands.

SEC. 7. It shall not be lawful for any licensed vehicle, when not actually employed, to be kept standing in any other part of the public highways of the city than those designated and set apart as stands for public vehicles, nor in front of any hotel, place of public business or private residence, without the express permission of the owners or occupants thereof.

[June 14, 1887; February 14, 1888.]

Speed Regulated—Keep to the Right.

SEC. 8. It shall not be lawful for any carriage, hackney coach, cab or any other passenger vehicle to be driven through any of the streets of Salt Lake City at a greater rate of speed than six miles an hour, nor around the corner of any of the streets of said city at a gait that will endanger pedestrians, and all vehicles, when passing through or along any of the streets of said city, shall, when meeting other vehicles, be driven to the right-hand side of the way, so that said vehicles shall pass clear of each other.

[June 14, 1887.]

Numbers.

SEC. 9. All public passenger vehicles licensed under this chapter shall be numbered with plain figures painted thereon, not less than one and one-half inches long, which shall always

be kept conspicuously in view; said numbers shall be furnished by the city recorder at the time of issuing the license.

[June 14, 1887.]

Lighted Lamps at Night—Door Handle.

SEC. 10. Every public vehicle for conveyance of passengers, when driven or used in the night time, shall have fixed upon some conspicuous part of the outside thereof two lighted lamps with plain glass sides, and have the number of such vehicle in plain, legible figures upon each of the outer sides of said lamps, in such a manner that the same may be distinctly seen, and every such vehicle which has a door or doors to the same shall have a knob or handle upon the inside of each door, by which said door may be easily opened from the inside thereof.

[June 14, 1887.]

Rates of Fare.

SEC. 11. The maximum prices or rates of fare to be asked or demanded by any owner or driver of any vehicle for the carriage of passengers shall be as follows :

First—For conveying every passenger from any hotel to any depot in the city, or from one depot to another, twenty-five cents.

Second—For conveying one passenger not exceeding one mile, fifty cents.

Third—Each additional mile or part of mile, twenty-five cents.

Fourth—For conveying children between five and fourteen years of age, not to exceed half the above price may be charged for like distances, but for children under five years of age no charge shall be made.

Fifth—For use of any hack, coach or other vehicle drawn by two horses, by the day, with one or more passengers, eight dollars.

Sixth—For the use of any such carriage or vehicle, by the hour, with one or more passengers, with the privilege of going from place to place and stopping as often as may be required, two dollars for the first hour, and for each additional hour or part of hour, one dollar.

Seventh—For the use of any hack, cab or other vehicle, drawn by one horse or other animal, by the hour, for the first hour, one dollar ; each additional hour or part thereof, seventy-five cents ; by the day, five dollars.

[June 14, 1887.]

Rate Where No Contract Made.

SEC. 12. In all cases when the hiring of a hack, coach or other public vehicle for the conveyance of passengers is not at the time of the hiring specified to be by the hour, it shall be deemed to be by the mile ; and for any detention exceeding fifteen minutes, when so working by the mile, the owner or driver may demand at the rate of one dollar per hour.

[June 14, 1887.]

Baggage.

SEC. 13. Every passenger shall be allowed to have conveyed upon such vehicle, without charge, his ordinary traveling baggage, including a trunk not to exceed one hundred and fifty pounds in weight. For each and every additional fifty pounds or less of baggage, if conveyed to any place within the city limits, the owner of such vehicle shall be permitted to charge twenty-five cents.

[June 14, 1887 ; February 14, 1888.]

Rates to Be Posted in Vehicles.

SEC. 14. There shall be fixed in every licensed vehicle for the conveyance of passengers for hire, in such manner as can be conveniently read by any person riding in the same, a card with the name of the owner of such vehicle, the number of his license written or printed thereon, and the rates fixed by this chapter, and for failure so to do the owner of such vehicle shall be liable to a fine of not to exceed twenty-five dollars and revocation of license. Such card to be printed by the city, in suitable form, and furnished to the drivers of such vehicles free of charge, and any person or persons mutilating, tearing down, or destroying the card herein provided for, shall be fined not to exceed twenty-five dollars.

[June 14, 1887 ; February 14, 1888.]

Penalty for Overcharging.

SEC. 15. The owner or driver of any coach or cab, carriage or hack, for the conveyance of passengers, who may have demanded and received any fare in excess of what is provided for in this chapter shall be liable to a fine in any sum not to exceed one hundred dollars for each and every offense.

[June 14, 1887; February 14, 1888.]

May Demand Fare in Advance.

SEC. 16. Every licensed owner or driver of any hack, coach or other vehicle for the carriage of passengers, shall have the right to demand the fare of the person or persons employing him, on entering his vehicle, and may refuse to convey any person who shall not comply with said demand.

[June 14, 1887.]

Refusing to Convey Passenger.

SEC. 17. No owner or driver of any hackney coach, hack, cab, carriage or other public passenger vehicle, shall, when not otherwise engaged or occupied in the performance of his duties, as a licensee under the provisions of this chapter, refuse to convey in said city any person, with or without baggage, when applied to for that purpose, the proper fee therefor being tendered, or, having undertaken to convey such person, shall omit or neglect to do so, under a penalty of not to exceed one hundred dollars for each offense.

[June 14, 1887.]

Shall Give Number and Name.

SEC. 18. Every owner or driver of any hack, coach, cab, or other public vehicle, for the carriage of passengers, shall, upon being requested to do so, give to any person or persons the number of his coach, carriage, hack, or other vehicle, and the name of the owner or driver thereof.

[June 14, 1887.]

False Representations.

SEC. 19. It shall be unlawful for any such licensed owner or driver to induce any person to ride in or employ his vehicle

by falsely representing his vehicle to such person as running for or being employed by any public house, railway or stage company, with a view to exact, solicit or obtain fare, or anything of value, from such person, for conveying him to such public house or railway, or other place, under penalty of a fine not to exceed one hundred dollars for each offense.

[June 14, 1887.]

Refusal to Pay Fare.

SEC. 20. Any person who shall hire any licensed passenger vehicle for the purpose of riding therein, and shall refuse to pay the fare therefor, not exceeding the rate fixed by this chapter, shall, upon conviction, be liable to pay a fine in any sum not exceeding twenty-five dollars.

[June 25, 1889.]

City Marshal to Designate Stands.

SEC. 21. The city marshal shall designate, as nearly as may be practicable, the respective stands upon the grounds of the company for all omnibus, hackney coaches, baggage wagons, express wagons, drays and other vehicles for the transportation of baggage, passengers and express goods at the several depots or stations in the city, so as best to accommodate the public, and he shall have the right to make such changes in such locations as he deem convenient for the public.

Hotel Runner—Where He Shall Stand.

SEC. 22. No hotel runner or other person soliciting for passengers or baggage, or for custom for any hotel, boarding house or place of entertainment or refreshment, shall, while so soliciting, stand in any other place upon the grounds of the railway company than that designated by the city marshal.

Penalty.

SEC. 23. Any person violating any of the provisions of this chapter, where no other penalty is prescribed, shall be liable to a fine in any sum not to exceed one hundred dollars.

[February 14, 1888.]

CHAPTER LIV.

WARDS.

Division and Number of Wards.

SECTION 1. The territory embraced within the corporate limits of Salt Lake City shall be, and the same is hereby, divided into five municipal wards, bounded and described as herein set forth.

[February 29, 1860; January 27, 1874.]

First Municipal Ward.

SEC. 2. All that portion of the corporate limits of said city lying within the following boundaries shall constitute the First municipal ward, to-wit: Beginning at a point at the intersection of East Temple and Third South streets, and extending thence east and through the center of Third South street to the western boundary of the United States military reservation; thence south to the southwest corner of said reservation; thence east to the southeast corner of said reservation; thence north to a point opposite the center of Third South street; thence east to the eastern boundary of the city; thence south to the southern boundary of the city; thence west to the northwest corner of block 12, five-acre plat C; thence south to the northwest corner of lot 7, block 9, five-acre plat C; thence west to the intersection of Ninth East street; thence north along said Ninth East street to the intersection of Eleventh South street; thence west along said Eleventh South street to the intersection of Fifth East street; thence north along said Fifth East street to the south line of Roper street; thence west along said Roper street to the center line of East Temple street; thence north to the place of beginning.

[January 27, 1874; February 14, 1888.]

Second Municipal Ward.

SEC. 3. All that portion of the corporate limits of Salt Lake City lying within the following boundaries shall constitute the Second municipal ward, to-wit: Beginning at a point at the intersection of East Temple and South Temple streets, and extending thence west through the center of South Temple street, to the western boundary of the city; thence south to the southwest corner of said city limits; thence east to the River Jordan; thence northward along the west bank of said river to a point opposite the center of Tenth South street; thence east to a point opposite the center of East Temple street; thence north to the place of beginning.

[January 27, 1874; February 14, 1888.]

Third Municipal Ward.

SEC. 4. All that portion of the corporate limits of said city lying within the following boundaries shall constitute the Third municipal ward, to-wit: Beginning at a point at the intersection of South Temple and East Temple streets, and extending north through the center of East Temple street to its junction with Arsenal street; thence northerly through Arsenal street to its junction with Pine street; thence northerly through Pine street to its junction with Currant street; thence east on a line through the center of Currant street to the center of the bed of City Creek; thence north to the northern boundary of the city; thence west to the northwest corner of the corporate limits of the city; thence south to a point opposite the center of South Temple street; thence east to the place of beginning.

[January 27, 1874; February 14, 1888.]

Fourth Municipal Ward.

SEC. 5. All that portion of the corporate limits of said city lying within the following boundaries shall constitute the Fourth municipal ward, to-wit: Beginning at a point at the intersection of South Temple and East Temple streets, and extending north through the center of East Temple street to the point of its junction with Arsenal street; thence northerly through Arsenal street to its junction with Pine street; thence

northerly through Pine street to its junction with Currant street; thence east on a line through the center of Currant street to the center of the bed of City Creek; thence north to the northern boundary of the city; thence east to the northeast corner of the corporate limits of the city; thence south to a point opposite the center of Third South street; thence west to the eastern boundary of the United States military reservation; thence north to the northeast corner of said reservation; thence west to the northwest corner of said reservation; thence south to the north line of Popperton Place subdivision; thence north $89^{\circ} 31' 20''$, east along the north line of said subdivision 3,772 93-100 feet; thence south $0^{\circ} 57' 28''$, east 1,305 67-100 feet; thence west 1,332 1-100 feet; thence south 707 9-100 feet; thence west 2,464 14-100 feet to the west line of the United States military reservation; thence north to the center of South Temple street; thence west to the place of beginning.

[January 27, 1874; February 14, 1888.]

Fifth Municipal Ward.

SEC. 6. All that portion of the corporate limits of said city lying within the following boundaries shall constitute the Fifth municipal ward, to-wit: Beginning at a point at the intersection of South Temple and East Temple streets, and extending thence east through the center of South Temple street to the western boundary of the United States military reservation; thence south to the center of Third South street; thence west to the center of East Temple street; thence north to the place of beginning.

[January 27, 1874; February 14, 1888.]

CHAPTER LV.

WATERWORKS.

Under Control of City Council.

SECTION 1. The waterworks constructed by the corporation to supply Salt Lake City with water shall be designated and known as the Salt Lake City Waterworks; they shall be the property of said city, and shall be under the sole and exclusive control of the city council, who may, from time to time, direct the construction of such reservoirs, water-tanks, water-mains, service-pipes and fire-hydrants as the necessities of the inhabitants of the city may require.

[July 12, 1882; June 28, 1887; July 1, 1892.]

Duty of Superintendent of Waterworks.

SEC. 2. The superintendent of waterworks shall, under the direction of the city council, have charge of the reservoirs, water-tanks, water-mains, fire-hydrants, and all the machinery and appurtenances appertaining to the waterworks. He shall have the direction of the laying of water-mains and putting in of service-pipes, and the regulation of the water supply to fire hydrants and to all water takers. He shall report to the city council quarterly, or oftener if required, his doings as superintendent, the condition of the waterworks, and make such suggestions as the nature of the service may require.

[June 28, 1887; July 1, 1892.]

Fire-Hydrants.

SEC. 3. All public fire-hydrants shall be under the control of, and shall be kept in repair by, the superintendent of waterworks, and in case of fire, the fire department and such others as the superintendent shall authorize, shall have free access to

said hydrants. No other person shall open or operate any fire-hydrant, or attempt to draw water therefrom or obstruct the approach thereto.

[June 28, 1887; July 1, 1892.]

Penalty for Injuring Fire-Hydrant.

SEC. 4. That any person who shall wilfully or carelessly run a vehicle against a fire-hydrant, or otherwise wilfully or carelessly injure the same, or without authority draw or attempt to draw water therefrom, or who shall put any thing or substance into, hitch or fasten horses or other animals to, or meddle or tamper in any way with any fire-hydrant, or who shall pile building or other material over or around any fire-hydrant, or obstruct the free use thereof by the fire department, or do anything with or about the same not necessary or proper for its legitimate use, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than ten nor more than one hundred dollars.

[June 28, 1887; July 8, 1890.]

Wrenches—To Whom Furnished.

SEC. 5. Wrenches for fire-hydrants shall be furnished by the superintendent to the fire department, for their use, and to such other persons as he may deem proper, and any officer or member of the fire department, or other person having charge of one or more of said wrenches, who shall permit the same to be taken from their place of deposit, or to be used for any other purpose than those authorized by the superintendent, shall be liable to a fine of not exceeding fifty dollars for each offense.

[June 28, 1887; July 1, 1892.]

Written Application for Water.

SEC. 6. Whenever any property owner desires to obtain a supply of water from the city waterworks, he shall make application therefor, in writing, to the superintendent, and sign an agreement that he will be governed by such rules and regulations, not inconsistent with this chapter, as may be prescribed by the city council for the control of the water supply; said application must state the location, kind of building, number of

rooms, and the entire area of grounds to be supplied, and fully and truly state the purposes for which the water is to be used. Said application having been filed, the superintendent of water-works is authorized to extend, at the expense of the city, the service pipe to the inside line of the curbstone, at the point most convenient for supplying the premises of the applicant.

[June 28, 1887; July 1, 1892.]

Stop-Cock and Key Box.

SEC. 7. To each service pipe there shall be attached, at the curb, a stop-cock and a key box, which shall be paid for by the water taker and be under the exclusive control of the superintendent.

[June 28, 1887; July 1, 1892.]

Quality of Service Pipe—Permit and Fee.

SEC. 8. All service and other pipes used under ground shall be of cast iron, extra strong lead or tin-lined lead, and laid not less than four feet below the grade, and all pipes for water supply, whether inside or outside, shall be of sufficient strength to stand the water pressure, and all such work, alteration or extensions thereof, together with size of pipe, must be to the acceptance of the superintendent. No extension of service pipes shall be made without first obtaining a permit therefor from the superintendent, and upon the payment of one dollar, and no extension shall be made to another water taker from the same service pipe without a stop-cock and key box being attached at the junction with such service pipe.

[June 28, 1887; July 1, 1892.]

Taker Only to Use Water.

SEC. 9. If any water taker shall permit any person from other premises, or any unauthorized person, to use or obtain water from his premises or water fixtures, whether inside or outside of his building, the supply of water may be cut off and amount paid forfeited, and such unauthorized person for taking said water shall be liable to a fine of not to exceed ten dollars for each offense.

[June 28, 1887; July 1, 1892.]

Pipes to Be Kept in Good Repair.

SEC. 10. All persons taking water shall keep their service pipes, connections and other water apparatus in good repair and protected from frost at their own expense; but no person, except under the direction of the superintendent, shall be allowed to dig into the street or sidewalk for the purpose of laying, removing or repairing any service pipe.

[June 28, 1887; July 1, 1892.]

Waste Forbidden.

SEC. 11. If any water taker shall waste water, or allow it to be wasted by negligence, such as imperfect stops or valves, or leaky joints or pipes, or allowing tanks to leak or to overflow, or wastefully run it through basins or other apparatus, or use the water for purposes other than those for which they have paid, or in violation of the rules and regulations for controlling the water supply, and the provisions of this ordinance, he shall be liable to a fine of not to exceed twenty-five dollars for each offense, and the water may be cut off from such water taker, and all payments forfeited, unless such person shall promptly pay such additional charges as may be imposed by the superintendent.

[June 28, 1887; July 1, 1892.]

Penalties for Using Without Paying, etc.

SEC. 12. Whoever by himself, family, servants or agents, shall use the water coming through the water mains without first paying therefor, as hereinafter provided, or shall, without authority, open any stop-cock, valve or other fixture attached to the system of water supply, or shall in anywise injure, deface or impair any part or any appurtenances of the waterworks, or shall cast anything into any reservoir or tank of the said works, shall be punished by fine not exceeding one hundred dollars for each offense, or by imprisonment not exceeding six months, or by both fine and imprisonment.

[June 28, 1887; July 1, 1892.]

Turning On After Being Turned Off.

SEC. 13. If any person after the water has been turned off from his premises, on account of non-payment of dues, or vio-

lation of the rules and regulations pertaining to the water supply, shall turn the water on again, or use, or allow the water to be used without authority, he shall be fined not exceeding fifty dollars for each offense.

[June 28, 1887 ; July 1, 1892.]

Fountains and Sprinklers.

SEC. 14. Fountains and sprinklers for lawns, gardens, yards or sidewalks shall not be operated during a fire. No fountain attachment shall be greater than half an inch in diameter. There shall be a stop-cock to each fountain attachment, which shall be under the control of the superintendent.

[June 28, 1887 ; July 1, 1892.]

Sprinklers for Lawns—Sprinkling Districts.

SEC. 15. Sprinklers for lawns, gardens and yards must be used only for the purposes paid for. No nozzle for sprinkling shall be larger than one-fourth of an inch in diameter, and no sprinkling shall be allowed except in connection with other water service.

The city is hereby divided into two sprinkling districts. All that portion of the city lying east and north of the following boundaries is hereby made and declared to be the Upper sprinkling district, to-wit: Commencing at the intersection of First West and Seventh North streets, and running thence south along said First West street to Second North street, thence east along said Second North street to Apple street, then southeasterly along Apple street to First North street, thence east along First North street to East Temple street, thence south along East Temple street to North Temple street, thence east along North Temple street to First East street, thence south along First East street to South Temple street, thence east along South Temple street to Sixth East street, thence south along Sixth East street to Liberty Park. And all persons taking water from the mains on South Temple street, east of First East street, and those taking from the main on Sixth East street, shall be deemed to belong to said Upper district.

All that portion of the city lying west and south of the

foregoing boundaries is hereby made and declared to be the Lower sprinkling district.

In time of scarcity of water, whenever it shall, in the judgment of the city council, be necessary, the mayor shall, by proclamation, limit the use of water for other than domestic purposes, and in his discretion provide that sprinklers shall only be used on alternate days in each district.

Any person violating any of the provisions of this section, or of any proclamation made by the mayor in pursuance hereof, shall, on conviction, be fined in any sum not exceeding \$10 for the first offense, and not exceeding \$20 for each subsequent offense.

[June 28, 1887; September 5, 1888; July 1, 1892.]

Sprinkling Wagons.

SEC. 16. Sprinkling wagons and wagons for the delivery or distribution of water must be filled from hydrants, or from spills erected for that purpose, and shall be regulated and controlled by the superintendent.

[June 28, 1887; July 1, 1892.]

Steam Boilers—How Supplied.

SEC. 17. Steam boilers, used for power purposes, shall not be allowed to fill from the pipes direct, but must be provided with a tank and supplied therefrom.

[June 28, 1887; July 1, 1892.]

Watering Troughs—Waste Forbidden.

SEC. 18. Watering troughs for animals shall not be allowed a constant flow of water, but shall only be allowed to use such quantity as will supply the actual wants of the stock having access thereto. Neither shall continuous streams of water be permitted to flow from hydrants, faucets or stops over wash-basins, water closets or urinals, or from any apparatus for drawing water.

[June 28, 1887; July 1, 1892.]

Superintendent to Have Free Access.

SEC. 19. Free access shall at all ordinary hours be allowed to the superintendent or other authorized person to all places.

supplied with water, to examine the apparatus, the amount used and the manner of using water, and any water taker violating any of the rules and regulations controlling the water supply shall forfeit all payments made and the right to the use of the water.

[June 28, 1887; July 1, 1892.]

Damages—City Not Liable For.

SEC. 20. The city corporation shall not be held liable for damage to any water taker by reason of a stoppage or interruption of his water supply caused by scarcity of water, accidents to works or mains, alterations, additions, repairs, or from other unavoidable cause.

[June 28, 1887; July 1, 1892.]

Where Posts May Not Be Set.

SEC. 21. No telegraph post, hitching or other post shall be put down or set within four feet of any water service pipe, nor within six feet of any main pipe, except on a written permit from the superintendent.

[June 28, 1887; July 1, 1892.]

Taking Water from Ditch Forbidden.

SEC. 22. Wherever the water mains are laid, no person shall be allowed to convey the waters of the city from any ditch or place by private pipes, for fountains, mechanical or other purposes, except the ordinary irrigation of lots, under the direction of the watermaster, nor shall said waters be hereafter diverted from the ordinary irrigation ditches for the supply of steam boilers or other mechanism, and all resolutions, ordinances and permits allowing any person to convey the waters of the city, or any part thereof, from the ordinary ditches by pipes for any use or purpose whatever, wherever the water mains are laid, are hereby repealed.

[June 28, 1887; July 1, 1892.]

Annual Assessments—Collections—Report.

SEC. 23. The assessor and collector of water rates shall make annual assessments for water on the owners of property having made application therefor, based upon the rates herein-

after established and dating from the first day of July of each year. Said officer shall charge to each person the amount assessed against him, and shall without delay proceed to collect the same monthly, quarterly, semi-annually or annually, at his discretion, and pay the amounts collected into the city treasury monthly, or oftener if required. In the month of June of each year he shall make a full report to and settlement with the city auditor of the previous year's assessments and collections of water rates.

[June 28, 1887; June 25, 1889; July 1, 1892.]

Notice to Water Taker—Delinquency.

SEC. 24. The assessor and collector of water rates shall furnish to each water taker, or leave at his residence or usual place of business, a printed or written notice of the amount of water rate assessed against him and when payable. If any person neglect, refuse or fail to pay his water rate within twenty days from the date of said notice, the assessor and collector is authorized and empowered to have the water turned off from the premises of said person where such unpaid water rate is assessed, and before the water shall be turned on again all delinquent water rates must be paid in full up to the end of the term as assessed, and fifty cents additional for expenses. Any water taker not using water after the assessment has been made must report it to the assessor and collector of water rates and have the water shut off; if he fails to do so the full amount assessed must be paid.

[June 28, 1887; July 1, 1892.]

Water Rates—To Be Paid in Advance.

SEC. 25. The annual rates for a supply of water from the Salt Lake City waterworks, to be paid in advance, are hereby fixed and established as follows, to-wit:

Bakery.....	\$ 15 00 to \$ 30 00
Barber shop, not exceeding two chairs.....	10 00
Each additional chair.....	2 00
Bath, public, first tub.....	10 00
Each additional tub, not exceeding four	5 00
Each additional tub, exceeding four...	2 00
Beer pump.....	10 00

Blacksmith shop.....	5 00 to 10 00
Book-bindery and printing office.....	10 00 to 20 00
Brewery, for brewing and washing purposes	500 00 to 800 00
Butcher shop.....	15 00 to 30 00
Club-room.....	15 00 to 25 00
Confectionery and ice cream saloon.....	10 00 to 20 00
Dancing hall.....	10 00 to 15 00
Drug store.....	15 00 to 25 00
Flour mill.....	10 00 to 20 00
Foundry and machine shop.....	10 00 to 20 00
Fountain, with jet not exceeding $\frac{1}{4}$ inch in diameter, per month.....	5 00
In store, restaurant or other place.....	5 00 to 15 00
Hose connection for sprinkling garden, lawn or yard, per square yard.....	03
No license issued for sprinkling garden, lawn or yard, less than.....	3 00
For washing private vehicles, each ve- hicle	1 00
For each animal.....	1 00
Hotel, boarding or lodging house, for each room having water attachments and including water closet, urinal and bath for guests.....	1 50
For each room not having water attach- ments	1 00
No hotel, boarding or lodging house less than	10 00
House or private residence not exceeding six rooms with privilege of sink.....	5 00
Each additional room exceeding six....	1 00
Each bath tub.....	1 00
Each water closet.....	1 00
Each urinal.....	1 00
Stationary laundry tubs.....	5 00
Ice manufacturing establishments.....	100 00 to 800 00
Laboratory, soda manufactory, bottling es- tablishment, vinegar factory and packing house.....	20 00 to 100 00

Laundry.....	48 00 to	150 00
Liquor store, saloon or beer shop.....		25 00
Livery, feed or sale stable, for each animal		1 00
For washing vehicles, each.....		2 00
Locomotives (railroad) each.....		50 00
For washing cars (railroad coaches)		
each		10 00
For washing street cars, each.....		7 50
Lumber yard or planing mill	10 00 to	20 00
Lunch stand and restaurant.....	5 00 to	20 00
Office buildings—Bank, express, railroad,		
attorneys', physicians', mining com-		
panies' or other offices, with or		
without water attachments, first		
floor, each	5 00 to	10 00
Upstairs offices, with or without water		
attachments, each.....		2 00
Photograph gallery.....		10 00
Sanitarium or public bath-house.....		250 00
Turkish bath.....		50 00
Soda fountain for the season.....	5 00 to	20 00
Society hall, etc.....		10 00
Steam boilers, stationary, when used not to		
exceed twelve out of twenty-four		
hours, per horse power		1 00
When used constantly, per horse power		2 00
When used for heating private resi-		
dences.....	3 00 to	5 00
Stone yard and stone sawmills	10 00 to	75 00
Stock yard or corrals, not less than.....		25 00
Store or shop	5 00 to	20 00
Tanks or reservoirs, for each one thousand		
gallons used		25
Theater or public hall.....	10 00 to	50 00
Urinals, public, in hotels, saloons, private		
school-houses or hospitals, each...		10 00
In office buildings, stores or shops, each		5 00
Water closets, in office buildings, stores or		
shops, each.....		5 00

Water closets, public, in hotels, saloons, private school-houses or hospitals, each	10 00
Meter rates, per one thousand gallons	25

For a supply of water for any purpose not specifically designated, the price shall be fixed by the assessor and collector of water rates, corresponding with the standard hereinbefore established.

[June 28, 1887; June 25, 1889; June 17, 1890; July 1, 1892.]

Meters Furnished by the City.

SEC. 26. Meters will be furnished and maintained by the city at cost to all water-takers who prefer to use them, and the city reserves the right to put in a meter in any case at its own expense and charge for water by measure instead of schedule rates.

[June 28, 1887; July 1, 1892.]

Water Not to Be Supplied to Motors.

SEC. 27. No water shall be supplied from the pipes of the Salt Lake City waterworks for the purpose of driving any motor, turbine or other wheels, or any hydraulic engines or elevators, or for driving or propelling machinery of any kind whatsoever, and no license shall be granted or issued for any such purpose.

[June 28, 1887; July 1, 1892.]

Sworn Statement.

SEC. 28. The assessor and collector of water rates may demand of any person, persons or corporation a sworn statement for what purpose water is required, together with the number of rooms, hose connections, bath-houses, shop, urinals, water-closets, engines, boilers, stock yards, corrals, livery stables, liquor stores, and other purposes for which water is required, and also the number of horses or other stock to be supplied and the number of vehicles to be washed.

Any person refusing to make such sworn statement when required shall be refused a supply of water, and any person who makes such sworn statement falsely, may be prosecuted and convicted of perjury.

[July 1, 1892.]

No Alteration in Rates.

SEC. 29. Nothing herein contained shall prohibit the city council from amending, altering or adding to the provisions of this ordinance in relation to the water supply or the rules and regulations which may be adopted in conformity therewith; *Provided*, that no alteration in water rates shall apply to any license issued or contract made with a water taker under this chapter, until after the expiration of such license or contract.

[July 1, 1892.]

Penalties.

SEC. 30. Any person violating any of the foregoing provisions of this chapter, or any of the ordinances, rules and regulations relating to the introduction, supply and consumption of water from the Salt Lake City waterworks, shall, upon conviction, where no other penalty is provided, pay a fine not to exceed one hundred dollars for each offense.

[February 20, 1877.]

Connection With Water System—Wells.

SEC. 31. All owners or agents of property abutting upon or having access to the city water system shall either connect with said water system or shall construct a well in accordance with the rules and regulations following.

[September 30, 1892.]

Depth of Wells.

SEC. 32. No person shall construct, or have constructed, a well within the city limits, except the same be piped with iron and sunk below an impermeable stratum or formation, or otherwise is not less than seventy-five feet in depth. This section shall not apply to artesian wells.

[September 30, 1892.]

Distance of Well from Cesspool.

SEC. 33. No well shall be constructed at less distance than twenty feet from any cesspool or privy vault, except it be that for some reason it is impossible to comply with this rule, in

which case a special permit from the health department must be obtained.

[September 30, 1892.]

Water for Drinking Purposes.

SEC. 34. No person shall use, or permit to be used, for drinking purposes, any water from any well within the limits of Salt Lake City, except it be from a well that is constructed in accordance with the rules and regulations of this chapter.

[September 30, 1892.]

Permit to Construct Well.

SEC. 35. No person shall construct or have constructed a well, without first obtaining a permit from the health department, and said well must, upon completion, be inspected by an officer of the health department.

[September 30, 1892.]

Analysis of City Water—Report Quarterly.

SEC. 36. The health commissioner shall, once in three months, take an analysis of the water furnished by the city through its pipe system and report the same to the city council.

[September 30, 1892.]

Penalty for Violation.

SEC. 37. Any person or persons who shall violate, or who refuses to comply with, any of the requirements of the preceding six sections, shall, upon conviction, be fined in any sum not less than \$5 nor more than \$50.

[September 30, 1892.]

CHAPTER LVI.

WEIGHMASTERS AND WEIGHING.

Duties of Chief Weighmaster—Books—Fees.

SECTION 1. It shall be the duty of the chief weighmaster to take charge of the public market grounds which shall be used for the sale of hay, straw, coal, wood, charcoal, lumber, posts, shingles and other articles sold by the load. He shall make such regulations therefor as he may deem necessary, and operate the city hay scales, and keep them in good order. He shall keep a suitable book with stubs, in which he shall enter the name of each person requiring his services, the kind of loading, the gross weight, and the weight of the empty vehicle, and shall deliver to the teamster a certificate showing the name of said teamster, the gross and net weights of his load and the kind of loading; *Provided*, that in no instance shall a certificate issue until the empty vehicle is first returned to said scales and weighed. And for such weighing, entries and certificate, the weighmaster shall charge and receive a fee of not exceeding fifteen cents, from the person requiring such service.

[February 8, 1881; October 27, 1891.]

Loaded Vehicles at Designated Places.

SEC. 2. It is hereby declared unlawful to stand upon the public streets, lanes, alleys, or other public places of said city, any wagon, cart, sled, or other vehicle, loaded either with hay, straw, wood, charcoal, lumber, posts, or shingles, for the purpose of exposing such article for sale, except at such place or places as are or may be designated by the city council; and any person violating the provisions of this section shall, on conviction, be fined in any sum not exceeding ten dollars.

[February 8, 1881; February 14, 1888.]

License for Private Hay Scales.

SEC. 3. Any person owning or operating private hay scales, within the limits of said city, for public use, and for which fees are charged, shall and is hereby required to pay a yearly license of \$12.00 ; shall be subject to the same requirements provided for in section 1 of this chapter, and shall give bonds in the sum of five hundred dollars. All vendors of fruit, vegetables, hay or straw, weighing at such scales, shall be subject to the same penalty provided for in section 2 of this chapter.

[February 8, 1881.]

A Cord of Wood.

SEC. 4. Any person who shall practice any deceit or fraud in the sale of wood, by selling for a cord of wood less than one hundred and twenty-eight cubic feet of wood, shall be liable to a fine in any sum not exceeding twenty-five dollars for each offense.

[February 8, 1881.]

City Weighmasters—Oath of Office.

SEC. 5. The city weighmasters shall be subject to removal by the mayor. Each person so appointed shall, before entering upon the duties of his office, subscribe and file with the city recorder, an oath of office, to the effect that he will faithfully and honestly, and without fear, favor or partiality, perform all the duties of city weighmaster, according to law and the ordinances of the city, to the best of his knowledge, skill and ability.

[December 2, 1892.]

Duty of City Weighmasters.

SEC. 6. It shall be the duty of each city weighmaster so appointed and qualified, to provide and keep at his own expense a scale or scales of some standard pattern and of sufficient draft to weigh team and any ordinary load of coal, hay or other merchandise, to attend said scales, by himself or deputy, during business hours, except Sundays, and correctly weigh all articles or loads offered, for which the requisite fee is tendered.

He shall keep a record, showing the articles weighed at

each draft, for and to whom the same is weighed, and the gross, tare and net weight of each draft.

He shall deliver to each person for whom a draft is weighed a certificate in writing, signed by himself or deputy, showing the articles weighed, the name of the seller and buyer thereof, as stated to him, and the correct gross, tare and net weight of such draft, also showing the date and time when weighed.

[December 2, 1892.]

Scales Accurately Balanced.

SEC. 7. Such city weighmasters shall keep their scales at all times accurately balanced and shall have the same and the weights used thereon tested as often as once in each week by the city sealer of weights and measures.

[December 2, 1892.]

Fees for Weighing.

SEC. 8. Such city weighmasters are authorized to charge for weighing coal, for each load containing one ton or less, five (5) cents, and for each load of coal containing more than one ton, ten (10) cents, and for each load of merchandise other than coal, ten (10) cents, which charge in each case shall include payment for weighing the load and also for weighing the vehicle containing it to ascertain the net weight.

[December 2, 1892.]

Penalty for Exacting Illegal Fees.

SEC. 9. Any city weighmaster who shall charge any person more for weighing any article than the rate provided in section 8 of this chapter, shall, on conviction thereof, be subject to fine of not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars, and for the second offense he shall forfeit his said appointment.

[December 2, 1892.]

Penalty for Making False Weight.

SEC. 10. Any such city weighmaster who shall knowingly make false weight or give in his certificate false weight of any article or thing so weighed by him shall, upon conviction there-

of, be subject to a fine in any sum not less than fifty (\$50) dollars nor more than two hundred and fifty (\$250) dollars, and shall on such conviction forfeit his said office.

[December 2, 1892.]

When Scale May be Located in Street.

SEC. 11. If any such weighmaster shall desire to locate any scale in any street of the city it shall be done only with consent of the city council and at such place as the council or the supervisor of streets may designate, and such scale shall remain in said street only at the pleasure of the council.

[December 2, 1892.]

Penalties for Violation.

SEC. 12. No person shall alter any certificate of any city weigher, or use or attempt to use the same for any other load or parcel than the one for which the same was given, nor after the weighing, and before the delivery of any load or parcel, diminish the quantity thereof. Any person violating any of the provisions of the preceding seven sections of this chapter, on conviction thereof, shall be punished in any sum not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars or imprisonment for twenty-five days, or by both fine and imprisonment, in the discretion of the court.

[December 2, 1892.]

Auditor to Make Monthly Examinations.

SEC. 13. The city auditor shall be permitted, by himself or his agent, to examine at his pleasure the books required as aforesaid to be kept by the city weighers, and that he be required as often as once per month to make such examinations.

[December 2, 1892.]

What Constitutes a Ton of Coal.

SEC. 14. That hereafter in the sale of coal, the hundred weight shall consist of one hundred pounds avoirdupois, and twenty such weights shall constitute a ton.

[November 25, 1892.]

Certificate with Load of Coal.

SEC. 15. Every person, firm or corporation who engages in the business, in this city, of selling or delivering coal at retail or wholesale, or who sells or delivers any such coal in this city, shall deliver, or cause to be delivered to the purchaser of each load, or part of load of coal, so sold or delivered, and at the time of such sale or delivery, a certificate in writing signed by an authorized city weighmaster and also by the seller, showing the exact number of pounds net of coal so delivered, and showing also the kind and grade or quality of the coal so delivered, and whether the same is screened or unscreened.

[November 25, 1892.]

Penalty for Short Weight, etc.

SEC. 16. Any person who shall violate any of the provisions of sections 14 and 15 of this chapter, or who shall deliver to any purchaser a less quantity of coal than two thousand pounds of avoirdupois for each ton purchased (or a proportionate amount of any part of a ton) or who shall deliver to any such purchaser a less quantity of coal than that shown in such certificate, or who shall deliver to any such purchaser coal of a different kind, grade or quality or condition than that shown in the certificate accompanying such delivery, or who shall practice any fraud or deceit in the sale, weighing or delivery of any coal purchased to be delivered in said city, as aforesaid, shall, upon conviction thereof, be punished for each offense by a fine in any sum not less than \$20 nor more than \$100, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

[November 25, 1892.]

Penalty for Overcharge for Coal.

SEC. 17. Any person who, under pretense of covering the cost of weighing or delivering, shall add to the price charged for any coal sold, or to the price charged for delivery, any sum in excess of the actual cost of such weighing or delivering shall, upon conviction thereof, be punished as provided in section 16 hereof.

[November 25, 1892.]

CHAPTER LVII.

REVISED ORDINANCES.

SECTION 1. These Revised Ordinances shall take effect and be in force from and after their passage, approval and publication.



Passed and approved by the city council of Salt Lake City, Utah Territory, December 9th, 1892, and referred to the mayor for his approval.

C. E. STANTON,
City Recorder.

I, C. F. Loofbourow, president of the Salt Lake City Council, do hereby certify that the bill for "An Ordinance Revising the Ordinances of Salt Lake City," was passed by the city council of Salt Lake City, Territory of Utah, on December 20th, 1892, notwithstanding the objections of the mayor thereto, two-thirds of said council elect voting in the affirmative.



C. F. LOOFBOUROW,
*President of the Salt
Lake City Council.*

Attest: C. E. STANTON,
City Recorder.

APPENDIX.

AN ORDINANCE

PREScribing THE MANNER OF THE ASSESSMENT OF PROPERTY AND
FOR THE COLLECTION OF TAXES IN SALT LAKE CITY, TER-
RITORY OF UTAH.

Assessment and Collection of Taxes.

SECTION 1. *Be it Ordained by the City Council of Salt Lake City, Territory of Utah:* That all property within the corporate limits of Salt Lake City which now is or which may hereafter be made taxable for county or Territorial purposes by the laws of the Territory of Utah, shall be assessed and taxed for municipal purposes.

The assessment on all property taxable as aforesaid, and the collection of all general taxes levied for municipal purposes in said city, shall be made in the manner now or which may hereinafter be provided by the laws of the Territory for the assessment of property, for the collection of taxes for county and Territorial purposes and the redemption from tax sales.

SEC. 2. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SEC. 3. This ordinance shall be in force from and after its approval.

[December 13, 1892.]



INDEX TO CITY CHARTER

AND

AMENDMENTS.

INDEX TO CITY CHARTER.

A

	SEC.	PAGE.
Act, incorporating city	1	25
boundaries of city defined by	1	25
powers of city prescribed by	2	25
deemed public	83	42
incorporating Great Salt Lake City, repealed	87	43
Actions, accrued rights continued	80	41
Agents may be appointed by council	8	27
Aldermen, conservators of peace, and powers	13	28
give bonds and qualify as justice	13	28
jurisdiction of	14	28
Alleys (see streets).		
Amusements, council may regulate or prohibit	26	31
Animals, prevention of abuse of	27	27
punishment may be provided for abuse of	27	31
prevention of cruelty to	27	31
running at large	29	31
impounding of	29	31
forfeiture and sale of, after impounded	29	31
to require removal of dead	35	33
Appeal, from assessment of damages	76	41
Appropriation, of private property for use of city	76	41
how damages assessed	76	41
Arrest, powers of—time of detention	85	42
Assessment (see tax).		
Assessment roll, how made	65	38
when to be completed	65	38
Auctioneers, prevent crying of goods on streets	38	33
to license, tax or regulate	42	34

B

Bathing, council may regulate and determine times and places		
of, in rivers, etc.	39	33
prevent obscene or indecent exposure	39	33

	SEC.	PAGE.
Births and deaths, council may provide for registration of.....	46	35
regulate burial of dead.....	46	35
regulate keeping bills of mortality.....	46	35
impose penalty for default.....	46	35
Bond, council may require from all officers.....	73	40
Borrow money, provisions by which council may.....	60	36
Boundaries of city (see act).		
Breweries, to direct location and management.....	31	32
Brewers, to license, tax or regulate.....	42	34
Brokers, to license, tax or regulate.....	42	34
Building material, to regulate inspection.....	48	35
Butchers, council may regulate, license or prohibit.....	44	34
restrain sale of fresh meat and vegetables.....	44	34
punish forestalling of poultry, fruit and eggs.....	44	34

C

Carcass, council may prevent the depositing of, in city limits...	35	33
require removal or destruction of.....	35	33
Cemetery, lots exempt from execution.....	78	41
Census, council may provide for taking.....	46	35
Coal and wood, regulate weighing and measuring.....	51	35
Collector, shall be furnished list of taxes to be collected.....	66	38
has power to collect taxes by suit.....	66	38
council has power to prescribe powers of.....	67	38
Combustibles, council may direct or prohibit location of houses for storing.....	32	32
Conservators of peace, powers of arrest and detention....	85	42
Contagious diseases, mayor and council may regulate concerning	40	34
Council, power to sue and be sued.....	2	25
power to plead and be impleaded.....	2	25
power to defend and be defended.....	2	25
power to purchase property, real and personal.....	2	25
power to sell, lease and convey property, real and personal	2	25
how composed.....	4	26
members of, how chosen.....	4	26
term of members.....	4	26
when election for members held.....	5	26
power to determine tie vote.....	5	26
power to canvass votes.....	7	26
power to certify returns.....	7	26
power to appoint certain officers.....	8	27
power to provide for removing officers.....	9	27
power to provide for filling vacancies in office.....	10	27
power to enforce ordinances.....	14	28

	SEC.	PAGE.
Council, power to designate time and place of its meeting	18	29
power to appoint presiding officer in absence of mayor	18	29
power to call special meetings and how	19	29
power to control city finances and property	20	30
power to prohibit games of chance	21	30
power to license, tax and regulate certain things	22	30
power to regulate the selling or giving away of ardent spirits or other intoxicating liquors	23	30
power to regulate manufacturing and selling of liquors	24	30
power to regulate, license, suppress or prohibit exhibi- tions, shows, etc	25	31
power to regulate or prevent amusements on streets	26	31
power to prevent immoderate driving	27	31
power to provide for prevention of cruelty to animals	27	31
power to compel putting up of hitching posts	27	31
power to compel the hitching of animals	27	31
power to prevent incumbering of streets	28	31
power to regulate animals running at large	29	31
power to license dogs	29	31
power to authorize destruction of dogs	29	31
power to make health regulations	30	32
power to abate and remove nuisances	30	32
power to regulate slaughtering houses	30	32
power to regulate tanneries	30	32
power to regulate breweries	30	32
power to direct or prohibit location and management of explosives	32	32
power to compel certain sidewalks to be kept free from snow and ice	33	32
power to prevent nuisances accumulating	34	32
power to prevent bringing unwholesome substance	35	33
power to require lots, streets, etc., to be drained and cleared	36	33
power to lay out, improve and regulate public grounds	37	33
power to regulate and prohibit street noises	38	33
power to regulate times and places for bathing and swim- ming	39	33
power to prevent obscene or indecent exposure or conduct	39	33
power to make regulations to prevent contagious diseases	40	34
power to make and enforce quarantine laws	40	34
power to grant and issue licenses	41	34
power to grant license and tax merchants and retailers, etc	42	34
power to license, tax, regulate or suppress hawkers and peddlers	43	34
power to regulate and license or prohibit butchers, etc	44	34

	SEC.	PAGE.
Council, power to establish and regulate markets and other public buildings.....	45	34
power to regulate registration of births and deaths.....	46	35
power to provide for taking census of city.....	46	35
power to appoint watchmen and policemen and prescribe duties.....	47	35
power to appoint inspectors of lumber.....	48	35
power to regulate weighing and place of sale of hay.....	49	35
power to regulate the inspection of provisions.....	50	35
power to regulate weighing and measuring of coal and wood.....	51	35
power to regulate place and manner of selling same.....	51	35
power to regulate the inspection of liquors.....	52	35
power to appoint inspectors, weighers and gaugers and regulate duties.....	53	35
power to provide for inspection of weights and measures..	54	36
power to erect and maintain waterworks.....	55	36
power to make regulations concerning use of water.....	55	36
power to provide for street lighting.....	56	36
power to establish and regulate public pounds.....	57	36
power to regulate and license ferries.....	58	36
power to provide for education and care of waifs.....	59	36
power to borrow money.....	60	36
power to pass, amend and repeal ordinances.....	61	37
power to levy and collect taxes.....	62	37
power to require and collect poll tax.....	64	37
power to regulate form of assessment rolls.....	65	38
power to prescribe duties and define powers of assessors and collectors.....	65	38
power to regulate and establish fire department.....	68	39
power to organize fire companies and appoint foreman...	68	39
power to provide for election of school trustees.....	69	39
power to appoint board of school inspectors and prescribe duties.....	69	39
power to establish and regulate police and impose fines, etc.	70	39
power to require extra duty from officers.....	73	40
power to require all officers, etc., to give bonds.....	73	40
power to arrange fees and fix compensation of officers, jurors, witnesses and others.....	73	40
power to enforce delivery of property to successors by fine	73	40
power to take private property for streets, etc.....	76	41
original power or authority continued.....	86	42

D

	SEC.	PAGE.
Damages, for appropriation of private property.....	77	41
Dead animals, to require removal of	35	33
Destitute children, council may provide for.....	59	36
Distilleries, council may locate, restrain or prohibit	31	32
Distillers, to license, tax or regulate	42	34
Dogs, tax or regulate the keeping of.....	29	31
authorize destruction of	29	31

E

Election, provision for holding first.....	6	26
manner of conducting subsequent.....	7	26
manner of contesting subsequent.....	7	26
Equalization, council shall hear objections to taxation	65	38
power to revise assessment roll	65	38
Exhibitions, power to regulate, license, suppress or prohibit....	25	31

F

Fast riding, may be prohibited.....	27	31
Ferries, to regulate and license.....	58	36
Finances (see borrow money).		
council shall control	20	30
Fire regulations, council has power to make, ordain and establish	68	39
procure fire engines and other apparatus	68	39
provide and have charge of engine houses	68	39
organize fire, hose and ladder companies.....	68	39
appoint foreman and prescribe duties.....	68	39
make rules and regulations governing fire companies	68	39
impose penalties for violation.....	68	39

G

Games of chance, council may prohibit.....	21	30
--	----	----

H

Hawkers and peddlers, council may license, tax, regulate or suppress.....	43	34
Hay, council may regulate weighing, place and manner of selling.....	49	35
Health, to compel cleansing.....	30	32
to prohibit nauseous or unwholesome business.....	31	32
Hitching posts, property owners must provide	27	31
compel fastening of animals while in streets	27	31

I

Illegal voting, punishment same as at general elections.....	11	28
Impounding, of domestic animals.....	29	31
Inspectors, for building material	48	35
mayor and council may appoint	53	35

L

Licenses, council may issue and exact fees.....	41	34
may require bond before issue.....	41	34
may issue to merchants and retailers.....	42	34
impose duties on goods sold at auction	42	34
Liquor, council may regulate traffic in.....	23	30
prohibit selling or giving to minors and others	23	30
manufacture and sale of	24	30
inspection of, sold in bulk.....	52	35
Lots, fencing within city limits.....	37	33
Lumber and building material, council may regulate measuring and inspection of.....	48	35

M

Markets, council may establish and regulate	45	34
determine location and authorize erection	45	34
Marshal, shall perform duties prescribed by council.....	16	29
process shall be directed to	16	29
shall be principal ministerial officer	16	29
Mayor, oath of	12	28
shall give bonds	13	28
shall qualify as justice of peace	13	28

	SEC.	PAGE.
Mayor, possess jurisdiction of justice	13	28
pay to treasurer funds received in judicial capacity	13	28
keep a docket	13	28
have exclusive jurisdiction in cases arising under ordi- nances	14	28
shall preside at meetings of council	18	29
Mercantile licenses, council may tax and regulate merchants ...	42	34
Money-changers, license, tax or regulate	42	34

N

Nuisances, abatement or removal of	30	32
to abate, and punish authors of	34	32
define and declare what constitute	34	32

O

Office, oath of	10	27
vacancies in, how filled	10	27
oath to be filed with recorder	10	27
Officers, shall be appointed by council	8	27
may be removed by council	9	27
removals must be for cause	9	27
council shall have power to prescribe further duties of ...	73	40
arrange fees and fix compensation of	73	40
require bonds to be given by	73	40
shall be commissioned by warrant	74	40
warrant to be signed by mayor and recorder	74	40
shall deliver property to successor	75	40
Ordinances, council has power to impose fine for breach of	70	39
provide for recovery of fines for breach of	70	39
make, establish and execute	70	39
must be published within one month	71	39
certified copies must be posted	71	39
when published in book form, shall be received in evi- dence	72	40
old remain in force	79	41

P

Pawnbrokers, license, tax or regulate	42	34
Police, to appoint watchmen and	47	35
council has exclusive authority to establish and regulate	70	39
Poll tax, age at which subject to	64	37
council shall have power to collect	64	37

	SEC.	PAGE.
Property vested—officers continued.....	82	42
Provisions, council may regulate inspection.....	50	35
inspect salt to be sold in bulk	50	35
Public act, may be read in evidence.....	83	42
Public grounds, council may lay out, improve and regulate.....	37	33
direct and regulate planting of trees	37	33
Public pounds, council may establish and regulate	57	36

R

Recorder, shall keep accurate record of ordinances made by council	15	28
record proceedings of council in corporate capacity.....	15	28
record open to inspection	15	28
keep plat of all surveys	15	28
record all deeds and instruments presented for that purpose.....	15	28
authorized to take acknowledgment	15	28
Removals, of officers, may be made by council.....	9	27
must be for cause.....	9	27
shall be heard in defense.....	9	27
Repeal, "An Ordinance to incorporate Great Salt Lake City," approved January 19, 1851	87	43
"in relation to assessment and expenditure of tax for road and other purposes," approved June 4, 1853.....	87	43
Rights reserved.....	84	42

S

School trustees, council has power to provide for election of	69	39
appoint board of school inspectors.....	69	39
prescribe powers and duties of	69	39
Sidewalks, council may compel keeping free from snow and ice ..	33	32
exclusively control, regulate or repair.....	36	33
obstructions and accumulations on	36	33
Slaughter houses, council may locate, direct management or prohibit	31	32
Statement, to be published quarterly.....	88	43
Street lamps, council may erect and regulate lighting of	56	36
create, alter and extend lamp districts.....	56	36
Streets, council may prevent encumbering of	28	31
exclusively control, regulate or repair	36	33
open, widen, straighten or vacate.....	36	33
put drains or ditches and sewers therein.....	36	33
protect from encroachment or injury	36	33
power to take private property for	76	41

	SEC.	PAGE.
Streets, just compensation to be paid for property taken for....	76	41
jury may determine value of property taken for.....	76	41
Surveys, plat to be kept by recorder	15	28
acts of surveyor validated.....	81	41

T

Tanneries, council may locate and direct management of	31	32
Tax, may be levied to defray contingent expenses	62	37
may be levied to open, improve and keep in repair streets.	62	37
may be levied to control waters of the city	62	37
when may not be increased.....	63	37
poll, provide for levy and collection.....	64	37
collector shall be furnished list to be collected	65	38
collector, power to collect by suit.....	65	38
property may be sold for	65	38
assessor's roll shall be evidence in suit.....	65	38
power to regulate form of assessment roll.....	65	38
power to prescribe duties and define powers of assessors and collectors	65	38
when assessment rolls shall be returned by assessor	65	38
council shall hear objections	65	38
power to revise and correct assessment roll.....	65	38
collection provided for	66	38
collectors, power and authority.....	67	38
Treasurer, shall receive all moneys belonging to city	17	29
keep accurate account of receipts and expenditures.....	17	29
pay orders signed by auditor	17	29
make report to council.....	17	29
Trees, planting and preserving in streets and public grounds....	37	33

V

Vacancies, may be filled by council	10	27
must subscribe oath.....	10	27

W

Water, council may distribute and control.....	55	36
Waterworks, council may establish, make and regulate.....	55	36
distribute water and prevent waste	55	36
Weights and measures, council may require inspection and seal.	54	36
standard of	54	36



INDEX TO CHARTER AMENDMENTS.

A

	SEC.	PAGE.
Act, amending charter of Great Salt Lake City	89	43
extending boundaries	91	46
changing name of Great Salt Lake City	92	46
amending charters of incorporated cities	93	47
amending charters of incorporated cities	104	49
providing for registration and elections	111	52
amending charter of Salt Lake City	112	53
amending act amending charters of incorporated cities . . .	117	55
to provide right of way for canals	119	56
amending charter of Salt Lake City	125	59
to fill vacancies in justice of peace	126	60
relating to liquor licenses	127	61
extending powers of incorporated cities	142	67
amending act incorporating Salt Lake City	143	67
amending chapter X., Laws of Utah, 1884	147	69
providing for the incorporation of cities	150	70
laying out and platting towns	289	111
bestowing power of veto on mayor	295	113
in relation to elections and tenure of office	300	115
for assessment and collection of taxes	304	116
Actions, arrest for probable cause	94	47
Amendment (see act).		
Application, class of cities to which provisions apply	298	114
Appraisers, for right of way of canal, how appointed	121	57
oath prescribed for	122	57
powers of	122	57
Appropriation, council may make	152	70
Assessments (see tax).		

B

Ban'ters, council may license, tax and regulate	98	48
Billiard tables, council may tax, regulate or suppress	101	49
Board of equalization, may administer oaths	253	90

	SEC.	PAGE.
Board of equalization, require property owners to give statement.	253	90
summon persons to appear and testify	253	90
county court constituted	307	117
Board of public works, must be freeholders	285	109
number of members and duties	285	109
bond of members	285	109
council shall designate chairman	285	109
chairman must devote necessary time	285	109
Bonds, council may issue, meet or fund	157	70
Bonded indebtedness, limit prescribed.	286	110
Borrow money, council may, for canal	112	53
issue bonds, create sinking funds	156	70
Boundaries of city extended	91	46

C

Canals, secure right of way	121	57
manner of appointing appraisers	121	57
duty of appraisers	122	57
how title passes by record	123	58
compensation of appraisers	124	58
Charters, supplemental articles	273	98
when in force	274	98
Cities, metropolitan class not affected	302	115
City assessor and collector, powers defined	142	67
City officers, how elected	109	52
City treasurer, shall collect special taxes	312	118
Collector, shall give notice of tax delinquency	283	108
Commitment, for violation of ordinances	241	86
Corporate limits, may be extended	260	93
manner of extending	261	93
plat must be filed with county recorder	262	94
how restricted	263	95
notice to be given to restrict	263	95
what notice shall state	264	95
plat of detached territory must be filed	265	95
Council, power to license livery stables	89	43
power to license hackmen, etc.	89	44
power to establish hospitals, license doctors	89	44
power to establish house of correction	89	44
power to locate railroad tracks and prohibit locomotive engines thereon	89	44
power to control location of gas works, telegraph poles, etc.	89	44

	SEC.	PAGE.
Council, power to levy and collect local assessments.....	89	44
power to provide penalty for violation of ordinances.....	95	47
power to provide for public schools.....	96	48
power to define fire limits.....	97	48
power to license lawyers, prohibit quacks.....	98	48
power to license bankers, expressmen, etc.....	99	48
power to prohibit games of hazard.....	100	48
power to license, tax, regulate or suppress billiard tables, pin alleys, etc.....	101	49
power to repress disorderly houses.....	101	49
power to compel removal of obstructions from sidewalks..	104	49
power to construct waterworks and reservoirs.....	105	50
power to regulate and control water supply.....	105	50
power to tax real estate benefited by water supply.....	105	50
power to appoint commissioners to assess for improve- ments....	105	50
may borrow for canal.....	112	53
shall create a sinking fund.....	113	54
power to compel cleaning sidewalks.....	115	54
power to regulate or prohibit smoking of opium.....	115	54
power to take private property to widen canal or ditch....	115	54
power to authorize appointment of deputy recorder.....	115	54
power to construct canals.....	119	56
power to institute proceedings to secure right of way....	120	56
power to license liquor selling.....	125	59
power to fill vacancies by appointment.....	126	60
may enforce payment of taxes.....	142	67
power to license, tax or regulate billiard tables or ten-pin alleys.....	143	67
power to prohibit gaming.....	144	68
may prohibit females in saloons.....	146	69
power to collect water tax.....	148	69
power to provide punishment for offenses.....	149	69
power to control finances and property.....	151	70
power to appropriate money.....	152	70
power to buy and sell property.....	152	70
power to levy and collect taxes.....	153	70
power to fix amount and terms of licenses.....	154	70
power to erect needful city buildings.....	155	70
power to borrow money, issue bonds, create sinking funds.	156	70
power to issue, meet or fund bonds.....	157	70
power to establish, open, alter, widen, grade or improve streets, parks and public grounds.....	158	71
power to plant trees in streets and public grounds.....	159	71
power to regulate use of streets.....	160	71
power to prevent obstructions on streets.....	161	71

	SEC.	PAGE.
Council, power to provide for lighting, cleaning and sprinkling		
streets	162	71
power to regulate opening of streets for laying pipes	163	72
power to construct and maintain waterworks, street rail-		
ways, bath-houses	164	72
power to extend jurisdiction beyond city limits	165	72
power to control water and water-courses	166	72
power to construct, purchase or maintain canals, etc.	167	73
power to grant gas and electric light privileges.	168	73
power to regulate price of gas.	169	73
power to regulate erection of poles and wires	169	73
power to fix water rates.	170	74
power to compel keeping sidewalks free.	171	74
power to prevent depositing garbage in streets	172	74
power to provide for crosswalks, curbs and gutters.	173	74
power to prevent use of streets and sidewalks for signs,		
awnings, poles, etc.	174	74
power to prohibit carrying placards or handbills.	175	74
power to regulate or prevent flying of flags across streets. .	176	74
power to regulate or prohibit traffic upon streets.	177	74
power to regulate speed of animals or locomotives.	178	75
power to regulate numbering of houses and lots.	179	75
power to name street or public place	180	75
power to grant franchise to street railways	181	75
power to change location or grade of railroad crossing.	182	75
power to require erection of cattle guards.	183	75
power to require keeping flagmen at railroad crossings. ...	184	75
power to establish grades for railroads.	184	75
power to construct viaducts and tunnels.	185	76
power to construct culverts, drains and sewers.	186	76
power to license, tax and regulate certain business.	187	76
power to license, tax or suppress billiard tables, ten-pin		
alleys, etc.	188	77
power to suppress bawdy and gambling houses	189	77
power to prohibit exhibition of obscene pictures.	189	77
power to license, regulate and tax traffic in intoxicating		
liquors.	190	77
power to prohibit selling liquor to minors.	191	77
power to prohibit smoking of opium.	191	77
power to establish markets and market houses.	192	78
power to regulate sale of meats, poultry, fish, etc.	193	78
power to provide for inspection of meats and provisions. .	194	78
power to regulate inspection and weighing coal	195	78
power to provide for sealing weights and measures.	196	78
power to enforce keeping proper weights and measures. ...	197	78
power to regulate construction vaults and cisterns.	198	78

	SEC.	PAGE.
Council, power to restrain disorderly conduct, petit larceny.....	199	79
power to prohibit carrying concealed weapons	200	79
power to punish vagrants	201	79
power to punish disturbers of peace.....	202	79
power to punish tramps, prostitutes, gamblers	203	79
power to define fire limits and compel removal of certain buildings.....	204	79
power to compel erection of fire-escapes	205	80
power to regulate erection of chimneys, boilers, etc.....	206	80
power to prevent carrying on of dangerous manufactories.	207	80
power to regulate deposit of ashes.....	207	80
power to organize and support fire department.....	208	80
power to regulate storage of gunpowder, etc.....	209	81
power to prevent bonfires, restrain use of fireworks	209	81
power to provide for inspection of steam boilers.....	210	81
power to establish jails, houses of correction, workhouses.	211	81
power to prohibit cruelty to animals.....	212	81
power to abate nuisances.....	213	81
power to create board of health, make quarantine laws...	214	81
power to establish hospitals and burial grounds.....	215	82
power to regulate registration of births and deaths	216	82
power to prohibit the running at large of animals.....	217	82
power to establish city pound and sell estrays.....	217	82
power to license keeping of dogs, and to destroy	218	82
power to locate packing-houses, breweries, slaughter- houses	219	82
power to abate or locate outhouses	220	83
power to provide for taking of census.....	221	83
power to construct public buildings	222	83
power to prevent ball playing and bicycling	223	83
power to regulate or prohibit keeping lumber yard.....	224	83
power to establish waterworks and fire signals.....	225	83
power to establish libraries and reading rooms.....	226	84
power to regulate or prohibit processions	227	84
power to provide for burial of indigent dead.....	228	84
power to levy and collect street tax.....	229	84
power to provide for care of destitute children.....	230	84
power to regulate inspection of liquors.....	231	84
power to regulate sale of meat and vegetables.....	232	85
power to prevent bell ringing, horn blowing.....	233	85
power to compel fastening of animals	234	85
power to extend streets and sewers under railroad tracks.	235	85
power to require bonds and reports from officers.....	236	85
power to appoint police and watchmen.....	237	85
power to remove officers and prescribe duties, etc.....	237	85
power of eminent domain.....	238	86

	SEC.	PAGE.
Council, power to raise revenue by license fee or tax	239	86
power to pass ordinances and enforce obedience—limit ...	240	86
power to levy and collect water tax.....	255	91
power to levy tax to improve streets and sidewalks.....	256	91
power to levy tax to construct sewers and drains.....	257	91
power to levy and collect local assessments	258	91
power to divide city into sewer and paving districts.....	259	92
power to extend corporate limits.....	260	93
powers of defined.....	270	97
may enlarge duties of officers.....	271	97
may enforce by ordinance powers granted.....	272	98
may punish infringement of ordinance.....	272	98
power to lay out, open and improve streets.....	275	98
levy and collect tax for improvement of streets.....	275	98
may declare street railroad tracks a nuisance.....	275	98
may issue bonds to pave streets.....	275	98
power to require water, gas and sewer connections.....	278	107
power to levy special tax to construct sewers or drains...	284	109
power to appoint board public works and name chairman	285	109
shall give notice of intention to levy taxes, naming pur-		
pose.....	287	111
power to pass ordinance over mayor's veto.....	295	113
shall appoint presiding officer.....	296	114
power to determine rate of city tax.....	306	116
power to equalize assessment.....	312	118
Councilmen, when shall not hold office.....	110	52
County, compensation to, for collection of city taxes	311	118
County assessor, shall assess city property.....	304	116
shall make statement to city recorder	305	116
compensation of.....	311	118
County collector, shall collect city tax.....	308	117
shall give bond to city	309	117
shall make monthly settlements with city treasurer.....	310	118
compensation of.....	311	118

D

Disincorporate, how cities may.....	266	96
vote necessary to.....	267	96
treasurer, of county custodian of records, etc.....	268	97
recording and publication of fact.....	268	97
Disorderly houses, council may repress or restrain	101	49
punish keepers of.....	101	49

E

	SEC.	PAGE.
Equalization, powers conferred on board of	253	90
board may require statement of taxable property	253	90
may summon persons to testify	253	90

F

Fines, imposed for misdemeanors, revert to city	108	51
Fire limits, council may prescribe	97	48
forbid erection of wooden buildings in	97	48

G

Gambling houses, council may suppress	189	77
Games of hazard, prevent, punish or prohibit	100	48

I

Imprisonment, shall be in city or county jail	108	51
---	-----	----

J

Justices, jurisdiction defined	93	47
shall have exclusive jurisdiction in cases of misdemean-		
ors under ordinances	95	47
shall have judicial power	254	90
exclusive jurisdiction in cases under ordinances	254	90
how vacancy shall be filled	254	90
salary to be fixed by ordinance	254	90

L

Lien, assessments for improvements on real estate a	107	51
amendment constituting taxes levied a	114	54
Liquor license, sale without forbidden	127	61
council may issue	128	61
manner of procuring	128	61
must be uniform in amount	129	62
when may be refused	129	62
money to be paid in advance	130	62
recorder to issue	130	62

	SEC.	PAGE.
Liquor, penalty for selling to Indians or minors	131	63
penalty for selling on Sunday	132	63
penalty for permitting gambling where sold	132	63
penalty for permitting dancing where sold	132	63
married women may recover damages	133	64
bond to be evidence in suit for damages	134	64
when bills cannot be sued for	135	64
penalty for selling without license	136	64
when suits may be maintained	137	65
how penalty may be enforced.....	138	65
rights of municipal corporations not impaired	139	65
penalty for selling on election day	140	66
when counsel may revoke license	140	66
physicians must certify to prescriptions.....	141	66

M

Mayor, may appoint regular and special police	145	68
must file plat showing corporate limits	262	94
must file map of city restricted in limits	265	95
veto power bestowed on	295	113
shall appoint all officers	297	114
may be a member board of equalization	307	117
Municipal election, manner of holding	111	52
when held	300	115
conflicting acts repealed	301	115

O

Office, city assessor and collector abolished	312	118
Officers, elective	242	87
term of, two years	243	87
appointive, shall be by council	244	87
term of office of appointive	245	88
oath and bonds of elective	246	88
oath and bonds of appointive	247	88
required to deliver property	248	89
must be qualified elector	249	89
shall not be interested in contract work	250	89
may not hold any other city office	251	89
compensation of	252	89

P

	SEC.	PAGE.
Plat, owners may lay out and plat lands.....	289	111
accurate map must be made of.....	290	112
must be acknowledged and filed for record.....	291	112
when filed, a dedication of streets, etc.....	292	112
penalty for selling lot before plat recorded.....	293	112
President of council, shall be selected by council from its mem- bers.....	296	114

R

Repeal, of conflicting sections of charter.....	102	49
of conflicting laws.....	299	114
of acts in conflict.....	313	119
Right of way for canals, manner of securing.....	121	57
duty of appraisers.....	122	57
how title passes by record.....	123	58
compensation of appraisers.....	124	58

S

Sinking fund, council shall provide.....	113	54
Street railroads, penalty for failure to operate.....	275	98
portion of streets to be paved by.....	276	104
must keep street in repair.....	276	104
penalty for refusal to pave.....	277	105

T

Tax, council may levy to pave streets, etc.....	90	44
must be used for purpose collected.....	90	44
commissioners shall assess amount of.....	90	44
recorder shall publish notice of assessment.....	90	44
excess of assessment must be refunded.....	90	44
when rolls returned to assessor amended.....	116	55
assessments must be equal and uniform.....	279	107
description of property sufficient notice.....	280	108
cost of work at intersections in curbing, etc., may be in- cluded in.....	281	108
when special may be levied.....	282	108
collector to give notice of delinquency.....	283	108
Title, of city changed.....	92	46.

INDEX TO CITY ORDINANCES.

INDEX TO CITY ORDINANCES.

A

	SEC.	PAGE.
Accrued rights.....	2	123
Animals, impounded must be registered.....	4	198
manner of registering impounded.....	4	198
may be redeemed by owner.....	5	198
sale of impounded.....	5	198
proceeds of sale of impounded.....	6	198
not allowed at large.....	7	198
appraisal of damage by.....	8	199
appeal from appraisal of damage.....	8	199
any person may impound.....	9	199
improperly retaining.....	10	199
taking out of proper custody.....	11	200
maliciously impounding.....	12	200
food and ventilation must be wholesome and sufficient...	10	217
how may transport cattle.....	11	217
cruelty to.....	2	279
killing, maiming or poisoning.....	3	280
driving sheep through streets.....	3	280
keeping cows or swine.....	5	280
Appeal, from apportionment of water.....	9	240
Appointments, mayor to make, by and with consent of council..	1	125
Assessment (see tax).		
Assessor and collector, may appoint deputies.....	24	130
shall list and assess property for grading streets.....	5	275
make plat of district to be improved.....	5	275
list property to be assessed for sewers.....	6	370
make plat to accompany list.....	6	370
note corrections made by board of equalization.....	6	370
give public notice of delinquency.....	7	371
monthly settlement with treasurer.....	9	372
list and assess property for sidewalk tax.....	5	393
make plat to accompany list.....	5	393
give notice of tax delinquency.....	7	394
pay moneys to treasurer.....	9	395

	SEC.	PAGE.
Assessor and collector of street sprinkling tax.....	3	408
Assessor and collector of water rates, deputy.....	5	126
Attorney, duties of.....	1	130
shall keep a record and docket.....	2	131
shall make settlements.....	3	131
shall report to city council.....	3	131
may appoint assistant.....	6	126
Auctioneers, must procure license and give bond.....	10	251
give receipts for goods.....	11	251
forbidden to make obstructions.....	12	252
Auditor, duties of.....	1	132
to make report quarterly.....	2	132
may appoint deputy.....	7	127
Awnings, canvas, how constructed.....	23	402
permanent, how constructed.....	24	403
permanent, building inspector to approve.....	25	403
penalty for violation.....	27	404

B

Bathing or swimming, except in bath-houses, prohibited.....	8	281
penalty for indecent exposure.....	8	281
Bicycle, penalty for riding without gong or light.....	9	281
on certain sidewalks prohibited.....	10	282
Billiard or pool tables must have license.....	14	252
must state number and kind.....	15	253
amount of license.....	15	253
not to be used on Sunday.....	16	253
Board of health, how composed.....	3	126
shall employ clerk.....	9	127
duties and powers of.....	1	133
shall abate nuisances.....	1	133
shall take measures to prevent introduction of contagious or infectious diseases.....	1	133
shall keep record of births, deaths and burials.....	1	133
burial and removal permits to be issued by health com- missioner.....	1	133
shall report to city council quarterly.....	1	133
may order connection with public sewers.....	1	133
may condemn or abate defective plumbing.....	1	134
may alter or increase plumbing fixtures.....	1	134
health commissioner to be executive officer of.....	2	134
meetings of.....	4	134
special meetings may be called by mayor.....	4	134
record to be kept by clerk.....	5	135

	SEC.	PAGE.
Board of health, accounts to be approved and audited.....	5	135
penalty for violation of ordinance.....	10	136
rules of.....		136
health commissioner to inspect slaughter houses.....	4	406
Board of public works, how and when appointed.....	2	125
may employ clerk and inspectors.....	8	127
qualifications of members.....	1	138
duties of board.....	2	138
to superintend all contract work.....	2	138
to supervise and prepare specifications for sewer work and paving.....	3	139
shall advertise for bids.....	3	139
shall keep "book of specifications".....	3	139
shall keep complete record.....	3	139
shall keep "contract book".....	4	140
chairman shall keep office hours.....	4	140
may employ inspectors.....	5	140
must keep account of expenditures.....	5	140
when to meet.....	6	140
quorum of.....	6	141
may enforce attendance of members.....	6	141
temporary chairman.....	7	141
chairman not to be absent without permit.....	7	141
duties concerning contracts and estimates.....	8	141
to supervise all excavations.....	9	142
to see that streets are not obstructed.....	9	142
may call on chief of police or street supervisor for aid....	10	142
members to hold no other office.....	11	143
council may remove members.....	12	143
shall keep pavements in repair.....	13	143
shall require contractors to clean up obstructions.....	14	144
to have supervision of aprons on gutters and street cross- ings.....	15	144
shall have supervision of sidewalks.....	16	144
shall make estimates for expenditures.....	17	145
additional duties of.....	20	145
shall supervise paving.....	28	423
Boarding house, shall not keep or offer deleterious food or drink	4	215
defined.....	13	252
must make sworn statement.....	13	252
amount of license.....	13	252
Bond of county collector.....	7	160
Bonds of city officials.....	1	157
attorney to approve form of.....	2	158
conditions of.....	2	158
sureties on.....	2	159

	SEC.	PAGE.
Bonds of city officials, approval of	3	159
who not accepted on	19	145
new	4	159
custody of	5	159
blanks, auditor to provide	6	159
sureties on contractors to justify	18	145
Bonds issued for corporate purposes.		
\$500,000 to increase water supply and for other purposes..		146
\$500,000 for permanent improvements		149
\$200,000 for permanent improvements		151
\$600,000 for permanent improvements		154
Bridges, across water ditch or canal	13	241
Buildings, duties of inspector of	1	161
strength and safety of public	2	161
unsafe chimneys	2	161
inspector to examine	3	161
dangerous	7	162
permits	8	163
plans to be approved by inspector of buildings	9	163
plans not to be altered without permit	10	164
power of inspector to prohibit construction	11	164
ordinary repairs	12	164
kind of buildings allowed in fire limits	15	165
what repairs allowed	16	165
roofs of wooden buildings, how repaired	17	166
wooden, not to be moved into fire limits	18	166
damaged frame, when unlawful to repair	18	166
arbitrators	18	166
arbitrators, compensation of	18	166
unsafe	19	166
cellar excavations	20	167
foundations	21	167
walls, table for	22	168
when wall must be increased	23	169
height of stories	24	169
heading or binding course	25	170
walls for trussed roofs	26	170
buttresses	27	170
stone facing, how backed	28	170
party walls, rules governing	29	170
roof and floor timbers	30	171
recesses, chases or flues	31	171
lintels and arches	32	171
party walls must be above roof	33	172
kind of mortar to be used	34	172
brick flues, how built	35	172

	SEC.	PAGE.
Buildings, roof and floor timbers	36	172
headers, trimmers and tail beams	37	172
timbers not to be cut deeper than two inches	38	173
to have rough floors	39	173
cornices, how secured	40	173
strength of floor	41	173
when building may be altered	42	174
furnaces	43	174
flues and chimneys	44	174
egress in case of fire	45	175
fire escapes	45	175
stovepipes not allowed	46	176
penalty, for violating ordinance	47	176
columns, how placed	48	176
columns, bearing parts	49	176
unlawful to use defective material	50	177
chimneys in one-story cottages	51	177
rules concerning stoves	52	177
factory chimneys	53	177
factory chimneys, to have spark arrester	53	178
furnace chimneys	54	178
penalty for violating ordinance	55	178
chimneys shall be cleaned	14	205
Canal, authority for construction of Jordan and Salt Lake City		242
title and location of		242
committee to supervise construction of		242
how interest may be acquired in		242
council may appropriate funds for		242
waters of, to be used exclusively in city limits		242
Cemetery, price of lots in	3	388
lots exempt from taxation	3	388
headboards and tombstones must be erected	4	388
fences erected by direction of sexton	4	388
title must first be obtained	5	389
permit from owner necessary	5	389
disinterment	5	389
contagious disease	5	389
fees of sexton	6	389
penalty for injuring property	7	390
burials must be in	8	390
body of murderer	8	390
two streets in	9	390
rate of speed for riding or driving	10	390
penalty for violation	11	391
Chimneys, must be cleaned	14	205
City Council (see council).		

	SEC.	PAGE.
City Creek Cañon, unlawful to fish or hunt in	1	180
destruction of trees or shrubbery unlawful	2	180
camping in, prohibited	3	180
City physician, duties of	3	134
City prison, commitment until fine paid	1	310
court may order prisoner to labor	2	310
jailer shall adopt rules and keep record	3	310
reduction of sentence for good behavior	4	311
amount of deductions	5	311
proportion deductions	6	311
when deductions forfeited	7	311
further duties of jailer	8	312
Coal, what constitutes a ton	14	510
dealer must give certificate of weight	15	511
penalty for short weight	16	511
penalty for overcharge for	17	511
Combustibles, quantity of petroleum which may be stored	5	202
how petroleum to be kept	6	203
storage of inflammables	7	203
oils, adulterating	8	204
chemicals	9	204
place of storage, when to open	10	204
coal oil for kindling fires unlawful	11	205
fire, how to be carried	12	205
fireworks	13	205
penalty for violating ordinance	15	205
unlawful to store	22	212
shall be removed	23	212
penalty for failure to remove	23	212
hay or straw not to be placed within sixty feet of flue....	24	213
use of lighted candle near hay unlawful	25	213
tar, turpentine, etc.	26	214
when rubbish may be burned	27	214
penalty for violation	28	214
Concealed weapon, penalty for carrying	14	283
Council, time of meeting	1	179
adjourned meetings	1	179
special meetings	2	179
may change location of magazines	1	201
may grant permit to sell gunpowder	2	201
how permit obtained	3	202
quantity which may be kept	3	202
permit storage of petroleum	5	202
quantity which may be stored	5	202
permit storage of inflammables	7	203
fix compensation of fire department	1	206

	SEC.	PAGE.
Council, permit slaughtering of cattle	12	217
levy assessment to grade streets	1	273
determine character and extent of improvements	1	273
hear objections to making improvements	1	273
cause publication of notice	2	274
apportion cost of improvement	3	274
constituted board of equalization	3	274
order levy of tax	3	274
define boundaries of district	4	275
make corrections in assessment	7	276
may require special report from supervisor	8	309
may construct sewers and drains	1	368
determine extent of assessment	1	368
give notice of intention to construct sewer	3	369
form of notice to be given	3	369
constituted board of equalization	4	369
make ordinance levying tax	5	370
may construct or repair sidewalks	1	391
hear objections to improvement	1	391
publish notice of intention	2	392
form of notice to be published	2	392
when work may be ordered by	3	392
make ordinance levying tax.	4	393
board of equalization appointed from	6	394
may order suspension of assessments	10	395
refund excess of taxation	11	396
to fill vacancies in elective office	1	483
County collector, shall give bond to Salt Lake City	7	160
mayor and council to approve bond	7	160

D

Dance house, penalty for keeping	13	283
Dead animal, penalty for failure to remove	10	298
Deleterious food, keeping or offering in public house forbidden	4	215
Discharging firearms, penalty for	16	283
without breastwork, forbidden	17	284
Disturbance, at election, penalty for	21	285
at religious meeting, penalty for	22	285
Dogs, to be registered	1	181
annual tax	1	181
registered, to wear collar and number	2	181
impounding of	3	182
unclaimed, how disposed of	3	182
fees	3	182

	SEC.	PAGE.
Dogs, how released from pound.....	3	182
female, not allowed at large while in heat.....	4	182
not permitted in place of worship.....	5	182
dangerous, to be killed.....	6	183
penalty for killing registered.....	7	183
Drugs, unlawful to sell on streets.....	23	285
must be labeled.....	24	285

E

Elections, when held.....	1	183
officers to be elected.....	1	183
terms of office.....	1	183
qualifications of officials.....	2	184
qualifications of voters.....	2	184
registry lists, registrar to procure.....	3	184
registrar shall visit dwellings.....	4	184
oath of voter.....	4	184
when registrar to be at his office.....	5	185
voters changing place of abode.....	6	185
registry list to be posted.....	7	185
notice of election to be given.....	8	185
time polls open.....	8	185
judges of.....	9	186
books, blanks and ballot boxes.....	10	186
ballot boxes.....	11	187
votes, manner of registering.....	12	187
voting, manner of.....	13	187
votes, judges of election to canvass.....	15	188
canvass, how conducted.....	16	188
certificate of election.....	17	188
canvassing board.....	18	189
how result declared.....	19	189
tie, how decided.....	19	189
how ballots disposed of.....	20	189
special.....	21	190
Election, penalty for inciting disturbance at.....	21	285
Electric Light, Salt Lake Power, Light and Heating company..		228
contract with city for lighting streets.....		228
franchise to Salt Lake Power, Light and Heating company	1	236
terms of grant to Salt Lake Power, Light and Heating		
company.....	1	236
erection of poles and regulations.....	2	236
laying of pipes to convey steam.....	3	237
company responsible for damage.....	4	237

	SEC.	PAGE.
Electric light poles	1	477
wires.....	8	479
wires crossing other wires.....	9	479
Electric railroad poles.....	1	477
Engineer, duties of.....	1	191
to have supervision of contract work....	1	191
to make re-survey of city.....	2	191
to make corrected map.....	3	191
field notes, maps and profiles.....	4	192
to fix line and grade.....	5	192
fees of.....	6	193
shall collect in advance in certain cases.....	7	193
to report quarterly.....	8	193
penalty for molesting.....	10	194
maps and plats, how approved.....	11	194
official standard of measure.....	12	195
means of fixing the standard... ..	13	195
instruments to be adjusted.....	14	195
penalty for failure to adjust.....	15	196
custodian of instruments....	16	196
may appoint assistants.....	11	127
shall make estimate of cost of sewers	2	368
Estray pound, location of.....	1	197
additional	2	197
mayor may appoint pound-keeper	2	197
all animals received to be registered.....	4	198
unclaimed animals to be sold after notice.....	5	198
disposition of proceeds.....	6	198
cattle running at large unlawful.....	7	198
appraisal of damage, how made.....	8	199
penalty for detaining animals.....	10	199
penalty for taking animals out of proper custody.....	11	200
animals, maliciously impounding.....	12	200
Excavations not to be made without permit.....	8	413
under sidewalks.....	8	413
guards to be placed around.....	9	413
lights to be placed around.....	9	413
cellar	20	167
Exhibitions, must have license	32	261
license may issue for Sunday evening concerts	59	272
Explosives, location of magazines.....	1	201
selling without permit unlawful.....	2	201
how permit obtained.....	3	202
quantity to be kept.....	3	202
stored only at magazines.....	3	202
cannot be handled by gaslight.....	3	202

	SEC.	PAGE.
Explosives, rules concerning sale of	3	202
caps, how kept	4	202
chemicals	9	204
fireworks, permit to set of	13	205
penalties for violation	15	205

F

Fences, not to be made of barbed wire	7	281
Fire, coals to be carried in covered vessels	12	205
Fire department, how constituted	1	206
compensation of officers and men	1	206
additional men, how appointed	2	206
qualifications of members	3	206
duties and powers of chief	4	206
assistant chiefs, duties of	5	207
captain, duties of	6	207
engineer, qualifications and duties of	7	208
stoker, duties of	8	208
permanent men, duties of	9	208
call men, duties of	10	209
substitutes to be furnished	11	209
members not to exchange or loan badges	11	209
chief may suspend or dismiss in certain cases	12	209
conduct at fires	13	209
damage to be reported to chief	14	210
drivers, carelessness of	15	210
when property may be torn down	16	210
record to be kept	17	210
chief shall make reports	18	211
right of way, fire companies to have	19	211
interfering with firemen, penalty for	19	211
fire-alarm boxes, unlawful to interfere with	20	211
Fire escapes	45	175
Fire hydrants, rules concerning	3	494
penalty for injuring	4	495
water not to be taken from without authority	4	495
horses not to be tied to	4	495
not to be tampered with	4	495
not to be obstructed	4	495
wrenches, to whom furnished	5	495
penalty for violating ordinance	5	495
Fire limits, boundaries established	21	211
unlawful to store combustibles in	22	212
chief of fire department shall order removal of combustibles from	23	212

	SEC.	PAGE.
Fire limits, penalty for violation	23	212
Fireworks, not to be discharged without permit	13	205
Food, penalty for feeding swine on unwholesome.....	34	288
Food and liquor, penalty for selling unwholesome.....	33	288
Fowls, penalty for permitting trespass of.....	35	288
Fresh meat, license necessary to sell.....	17	253
form of application for license to sell	17	253

G

Gambling, prohibited where liquor sold.....	28	258
penalty for.....	37	289
house for, keeper of defined.....	36	288
Garbage, two districts established.....	1	219
district No. 1 defined	2	219
district No. 2 defined.....	3	219
metallic vessels for ashes.....	4	220
receptacles for liquid refuse.....	5	220
vessels for residence garbage district.....	6	220
mixture not allowed.....	7	221
house slops and rubbish.....	8	221
gutters to be kept clean.....	9	221
when sidewalks to be swept.....	10	221
manure accumulations forbidden.....	11	221
deposits of nightsoil unlawful.....	12	221
how shall be moved.....	13	222
dead animals to be covered in removal.....	13	222
health department shall direct where to be deposited....	13	222
expense of removal of.....	14	222
vaults and cesspools in district No. 1 must be removed...	15	222
permit necessary to empty vault.....	16	222
permit necessary for hauling.....	17	223
scavenger wagon to be marked.....	18	223
penalty for spilling on streets.....	19	223
fees for removing.....	20	223
penalty for violation.....	21	224
Gas, approving location gas company's works.....		225
terms of grant to Salt Lake City Gas Company.....	1	226
prices to be charged for.....	1	226
quality of gas to be furnished.....	1	226
no obstruction shall be laid over mains.....	2	226
excavations, company's duties concerning.....	3	226
corporation not responsible for company's negligence.....	4	227
when acceptance to be made.....	5	227
contract with city for lighting streets.....		228
Gasoline (see petroleum).		

	SEC.	PAGE.
Gunpowder, selling or giving away without permit forbidden...	2	201
quantity which may be kept for private use.....	2	201

H

Hay, stack protected from sparks.....	24	213
prohibited within sixty feet of flue	24	213
lighted candle prohibited near	25	213
when may be burned	27	214
penalty for violation	28	214
Health commissioner, to issue burial permits	1	133
to be executive officer of board of health	2	134
to enforce sanitary ordinances.....	2	134
may command assistance of police force.....	2	134
shall abate nuisances	15	299
duty and power of	19	301
to inspect slaughter-houses	4	406
Health department, shall direct where garbage deposited.....	13	222
Hotels, public houses classed.....	18	254
amount of license to be paid for.....	18	254
Houses, to be numbered	19	418
system of numbering	20	419
district numbering of, forbidden	24	421
penalty for violating ordinance	25	421

I

Inspector of buildings, duties of.....	1	161
to examine buildings	3	161
to report quarterly	3	161
to remove or abate danger from fire	4	162
penalty for obstructing	5	162
power of, in special cases.....	6	162
plans to be approved by.....	9	163
power to prohibit construction.....	11	164
fees of	13	164
may appoint deputy.....	14	165
may order removal of defective material.....	50	177
Inspector of provisions, shall confiscate putrid meat, etc.....	7	216
shall execute orders of board of health.....	1	313
duties defined	1	313
Irrigation, period for artificial.....	1	238
apportionment of water.....	2	238
watermaster to locate ditches and keep record.....	3	238

	SEC.	PAGE.
Irrigation, head-gates and branch ditches	4	239
to guard against damage	5	239
right of way along ditches	6	240
care of surplus water	7	240
wrongful diversion of water	8	240
appeal from apportionment	9	240
watermaster shall report quarterly	10	241
public water ditches defined	11	241
where public ditches may be crossed	12	241
bridges or flumes to be constructed	13	241

J

Jailer, to be appointed by mayor with consent of council	1	125
may appoint assistant	14	128
shall adopt rules and keep record	3	310
duties prescribed	8	312

L

Licenses, must first be procured	1	249
must be paid in advance	2	249
application to be made to mayor	3	249
how shall be issued	3	249
record to be kept of	3	249
what shall contain	4	250
assignment by permission of mayor	4	250
when rebate may be allowed	5	250
evidence of liability to pay	6	250
quarterly and half-yearly	7	250
when may be given free	8	251
penalty for violation of	9	251
for keeper of livery stable	30	258
statement and amount of	30	258
for merchants, retailers and bankers	31	259
for miscellaneous business	32	261
License inspector	4	483
Liquor license, for manufacture or sale	19	254
to sell at wholesale or retail	20	254
one bar only permitted	20	254
cellar and storage conveniences	20	254
application for, to be made to council	21	255
petition must be specific	21	255
bond required for	21	255

	SEC.	PAGE.
Liquor license, specifications of bond for.....	21	255
term for which issued.....	22	256
certificate from recorder.....	22	256
classification of dealers.....	23	256
amount of, to be paid.....	24	257
for bottling and casking.....	25	257
Liquor, penalty for selling to certain persons.....	26	257
penalty for selling on Sunday.....	27	258
gambling prohibited where liquor sold.....	28	258
sales on election and holidays may be forbidden.....	29	258
Livery stable, keeper of must have license.....	30	258
must make statement.....	30	258
amount to be paid.....	30	258
Lottery, penalty for conducting.....	39	289,

M

Magazines, location for erection of.....	1	201
material with which to build.....	1	201
privilege to build obtained from council.....	1	201
Maps and plats, how approved.....	11	194
Markets, no unwholesome food to be kept in.....	5	216
stalls must be kept clean.....	6	216
putrid meat to be confiscated.....	7	216
unwholesome milk, butter or cheese.....	8	216
Marshal, appointed by mayor with consent of council.....	1	125
may appoint deputies.....	15	128
shall attend meetings of council.....	1	277
execute orders of mayor or council.....	1	277
preserve peace and good order.....	1	277
serve process.....	1	277
shall designate stands for vehicles.....	21	490
Mayor, shall make appointments with consent of council.....	1	125
board of health appointed by.....	3	126
is chairman of board of health.....	3	126
sanitary inspector appointed by.....	3	126
police appointed by.....	4	126
special police appointed by, for ten days.....	4	126
special police not to be reappointed except by consent of council.....	4	126/
to report appointments to council.....	4	126
may appoint desk sergeants.....	10	127
may call special meetings of board of health.....	4	134
may appoint additional pound-keeper.....	2	197
authorized to sign agreement with owners of Parley's Cañon creek.....	1	244

	SEC.	PAGE.
Mayor, application for license to be made to	3	249
may forbid sale of liquor on election and holidays	29	258
may grant license to lay sewer pipe.....	58	272
oath of.....	1	278
shall devote time to duties	1	278
shall sign licenses and deeds	2	278
may offer reward	3	278
shall superintend public works.....	4	278
may remit fines and grant pardons	5	279
shall report quarterly	6	279
Merchants, retailers and bankers, must procure license.....	31	259
statement must be made	31	259
amount to be paid by	31	259
Milk, permit from health department necessary to sell.....	13	218
quality of	14	218
wagons must be marked	15	218
penalty for violation	16	218
Miscellaneous business, amount of license	32	261
Misdemeanor to neglect or refuse to comply with order of board of health.....	1	134
to neglect or refuse to adjust surveying instrument.....	15	196
to place hay or straw within sixty feet of any chimney..	24	213
to burn rubbish in open air except between stated hours	27	214
to use abusive language.....	1	279
to cruelly treat animals.....	2	279
to kill, maim or poison animals.....	3	280
to drive sheep through streets.....	4	280
to keep more than two cows.....	5	280
to keep swine in certain limits	5	280
to commit assault and battery.....	6	281
to erect barbed wire fences.....	7	281
to publicly bathe.....	8	281
to ride bicycle without gong.....	9	281
to ride bicycle without lantern between certain hours....	9	281
to ride bicycle on certain streets.....	10	282
to build bonfires on asphalt pavement.....	11	282
to coast on public street.....	12	282
to keep dance house.....	13	283
to carry dangerous and concealed weapon.....	14	283
to deface or destroy property.....	15	283
to discharge gun or pistol.....	16	283
to discharge fire-arms without breastwork.....	17	284
to discharge air-gun or flipper.....	18	284
to keep disorderly house	19	284
to commit disturbance of peace	20	284
to incite disturbance at election.....	21	285

	SEC.	PAGE.
Misdemeanor to disturb religious meeting	22	285
to sell or give away drugs on the streets.....	23	285
to be found drunk in public place.....	25	285
to entice minor from guardian	26	286
to aid or abet escape of prisoner	28	286
to take weapon or tools to prisoner.....	29	286
to obtain goods on false pretense.....	30	287
to employ female in saloon	31	287
to engage in fighting.....	32	287
to sell unwholesome food and liquor	33	288
to feed swine unwholesome food.....	34	288
to permit fowls to trespass	35	288
to keep gambling house	36	288
to gamble	37	289
to interfere with officer	38	289
to conduct lottery	39	289
to exhibit or sell obscene literature	40	290
obscene conduct	40	290
to maintain opium dens.....	41	290
to visit opium dens.....	41	290
to personate an officer.....	42	291
petit larceny.....	43	291
to post bills without permission	44	291
to deface posted ordinances.....	45	291
to indulge in profanity	46	291
to advertise vocation of prostitute.....	47	292
to keep or rent house for prostitution.....	48	292
reckless driving.....	50	293
excessive speed of vehicles.....	51	293
excessive speed of street cars.....	52	293
incite riot.....	53	294
refusal to assist in suppressing riot	54	294
smoke from chimneys.....	55	294
trespass.....	56	295
vagrancy	57	295
to neglect to build fence and plank walk around building under construction.....	11	414
to distribute circulars or handbills on certain streets.....	13	414
to injure fire hydrant.....	4	495
to attempt to draw water from fire hydrant	4	495
to fasten horse to fire hydrant.....	4	495
to obstruct fire hydrant.....	4	495

N

	SEC.	PAGE.
Natural gas, franchise to American Natural Gas Company.....	1	231
terms of grant to American Natural Gas Company.....	1	231
price at which gas shall be furnished.....	1	231
laying of mains and regulations.....	1	231
city not liable for damage.....	2	232
when grant shall be void.....	3	232
when ordinance takes effect.....	5	233
New American Gas and Fuel Company.....	1	233
terms of grant to New American Gas and Fuel Company,	1	233
laying of mains and regulations.....	1	233
price at which gas shall be furnished.....	1	233
city not liable for damages.....	2	234
when grant shall be void.....	3	234
approved system and quality of pipe required.....	4	235
mains to be approved by engineer.....	4	235
company to pay royalty.....	5	235
forfeiture of franchise, when worked.....	6	235
acceptance revokes other grants.....	7	235
when ordinance takes effect.....	8	236
Nuisances, unclean slaughter-house, market or meat shop,		
deemed.....	1	296
unclean drain or garbage receptacle.....	2	296
vegetable waste.....	3	296
stable where manure accumulates.....	4	297
dirt, waste, rags, casks.....	5	297
bone crushing, glue factory.....	6	297
soap or oil factory, laundry.....	7	298
offensive liquid or refuse.....	8	298
brewery, tannery, barn, when become.....	9	298
dead animals.....	10	298
unsound food or offensive matter.....	11	298
putrid fat, waste paper, old clothes.....	12	299
detrimental to health.....	13	299
police to report.....	14	299
health commissioner to abate.....	15	299
penalty for violation.....	16	300
author of defined.....	17	300
notice to abate.....	18	300
duty and power of health commissioner.....	19	301
loafing on sidewalk a.....	30	404
neglecting to remove snow from sidewalk a.....	31	405

O

	SEC.	PAGE.
Obscene conduct, penalty for.....	40	290
Obscene literature, penalty for sale or exhibit.....	40	290
Officers, appointive.....	1	125
how and when appointed.....	1	125
term of office.....	1	125
Offices, to be filled by mayor, with consent of council.....	1	125
Ordinances, how construed.....	1	123
meaning of words.....	3	123
charter provisions.....	4	124
penalty for violating.....	5	124
who liable.....	6	124
implied powers.....	7	124
meaning of word "street".....	8	124
when in effect.....	9	124

P

Park commissioners, how appointed.....	1	302
duties of board.....	2	302
oath of.....	2	302
shall report quarterly.....	3	303
salaries fixed by council.....	4	303
Parley's Cañon creek, mayor authorized to sign agreement with owners of.....	1	244
stipulations of agreement.....	1	244
Paving, board of public works to prepare specifications for.....	3	139
board of public works shall make repairs.....	13	143
notice to be given.....	27	422
levying tax for.....	29	423
manner of assessment for.....	30	424
notice to be published when tax delinquent.....	32	425
when tax becomes delinquent.....	34	425
water, sewer and gas connections to be made before paving.....	48	430
districts.....	49	431
Pawnbroker, defined.....	35	264
must obtain license.....	36	264
must have good character.....	37	265
what license shall state.....	38	265
bond and amount of license.....	39	265
how license assigned.....	40	266
shall keep a descriptive book.....	41	266

	SEC.	PAGE.
Pawnbroker, must report to chief of police.....	42	266
not to deal with certain persons.....	43	267
penalty for violation.....	44	267
Peddlers and hawkers, must obtain license.....	45	267
district wherein peddling forbidden.....	45	267
amount of license for.....	46	268
carts must be numbered.....	47	268
Petroleum, quantity which may be stored in the city limits....	5	202
must be kept in metal cans.....	5	202
in what buildings may be kept.....	5	202
fire test necessary.....	6	203
permit for storage necessary.....	6	203
council shall approve location of building.....	7	203
building must have painted sign.....	7	203
penalty for adulteration.....	8	204
when place of storage may be opened.....	10	204
no light to be carried where stored.....	10	204
shall not be used for kindling fires.....	11	205
penalty for violation.....	15	205
Physician, city, shall visit and prescribe for city prisoners and city poor.....	3	134
Plumbers, must obtain license.....	48	269
amount of license and bond.....	49	269
must have permit.....	50	269
kind of fixtures must use.....	51	269
penalty for violation.....	52	270
Police, how appointed.....	4	126
shall report nuisances.....	14	299
chief shall keep register of arrests.....	1	304
powers and duties of chief.....	2	304
council and chief to make rules governing.....	3	305
oath and duties of.....	4	305
uniforms and badges while on duty.....	5	305
full dress of officers described.....	6	305
badges and stars.....	7	306
hat to be worn.....	8	306
uniforms must be approved.....	9	306
Police justice, council may designate.....	16	128
where transact business, council to designate.....	16	128
council may remove at pleasure.....	16	128
may appoint clerk.....	17	128
Poll tax, who liable to pay.....	1	307
how shall be used.....	2	307
list of taxpayers, how made.....	3	307
notice to work to be given.....	4	308
delinquent tax, how payable.....	5	308

	SEC.	PAGE.
Pound-keeper, mayor may appoint additional	2	197
duties and compensation of additional same as.....	2	197
shall receive and care for all animals	3	197
provide necessary forage for animals	3	197
use due diligence to find owners.....	3	197
notify owner if found.....	3	197
receive and file all bills of damage.....	3	197
shall not deliver animal until costs settled.....	3	197
fees of,.....	13	200
shall keep accurate account.....	14	200
make quarterly report to council	14	200
pay over funds to treasurer	14	200
Procedure, to conform to act of legislature.....	1	312
Property, penalty for defacing or destroying	15	283
Prostitution, penalty for advertising vocation.....	47	292
keeping or renting house for.....	48	292
defense of landlord.....	49	292
Public lands, Union Square donated to University of Deseret...		314
donation of site for Capitol building.....		315
donation of site for Territorial Fair buildings.....		317
reserving and dedicating for public use.....		318

R

Railroads, shall repair sewers and street crossings.....	1	321
construct arches and bridges.....	2	321
tracks shall conform to grades.....	2	321
shall remove gravel from public place.....	2	321
must plank between rails.....	2	321
obstructions and impediments.....	3	322
crossing other tracks.....	4	322
tracks to be laid in center of streets.....	5	323
rate of speed permitted.....	5	323
continuous ringing of bell.....	5	323
travel must not be obstructed.....	5	323
penalty for violation.....	5	323
rights reserved to city.....	6	323
Railroad ordinances, Rio Grande Western Railway company...	1	324
Saltair Railway company.....		329
Franchise to T. P. Murray.....		356
Railroad resolutions, Saltair Railway company.....		326
Saltair Railway company.....		329
Salt Lake and Fort Douglas Railway company.....		332
Salt Lake and Fort Douglas Railway company.....		338
Salt Lake and Fort Douglas Railway company.....		343

	SEC.	PAGE.
Railroad Resolutions, Utah Western Railway company		348
Great Salt Lake and Hot Springs Railway company		352
Rebate, when council may allow in license	5	250
Recorder, may appoint deputy	18	129
may appoint clerk	18	129
may appoint typewriter	18	129
may appoint deputy dog tax collector	18	129
shall certify order for tax levy	5	275
shall publish notice of improvement	6	276
shall keep records and seal	1	360
pay all moneys to treasurer	2	360
power to administer oaths	2	360
deliver property to successor	2	360
make annual report to mayor	1	361
report to council objections to sewer extension	4	369
Reports, all officers shall report annually to mayor	1	361
Restaurant, keeper must procure license	53	270
amount to be paid for license	53	270
sale of liquors not included	53	270
Riot, what constitutes	53	294
penalty for engaging in	53	294
assistance in suppressing	54	294

S

Salaries, city officers and employees	1	362
to be paid monthly	2	365
Saloons, penalty for employing females in	31	287
Sanitary inspector, duties of	6	135
shall make daily inspection and reports	7	135
shall report nuisance to health commissioner	8	136
Scales, license for private hay	3	508
Scavenger, wagon used must be lettered and numbered	18	223
Seal of Salt Lake City	1	365
Sealer of weights and measures, appointed by mayor with con-		
sent of council	1	125
may appoint deputy	19	129
duties of	1	366
shall keep register	2	366
seize false weights and measures	2	366
make report to auditor	2	366
fees of	4	367
extra compensation, lien on article	5	367
Second-hand dealer, defined	54	271
must have license	54	271

	SEC.	PAGE.
Second-hand dealer, amount of license of.....	55	271
shall not purchase from minor	56	271
books which must be kept by	57	271
Sewers, council may levy assessment to construct.....	1	273
determine character and location of	1	273
hear objections to construction of	1	273
notice must be published	2	274
form of notice.....	2	274
council may deem expedient to construct	1	368
determine extent of assessment for.....	1	368
engineer make estimate of cost.....	2	368
when tax due for	6	371
public notice of delinquency	7	371
how assessment collected	8	371
district No. 1, boundaries of.....	10	372
district No. 2, boundaries of.....	11	372
district No. 3, boundaries of.....	12	373
district No. 4, boundaries of.....	13	373
district No. 5, boundaries of.....	14	373
district No. 6, boundaries of.....	15	374
superintendent of.....	16	374
injury to, discharge nightsoil in.....	17	374
manhole covers to be locked.....	18	374
permits to construct drains	19	375
applications for permits—plans.....	20	375
certain connections with drains prohibited	21	375
distance within which pipes may be laid.....	22	376
character of drain pipe and fittings.....	23	376
depth of earth on pipes.....	24	376
excavations in public streets	25	377
when excavations may remain open	25	377
barricades must be erected.....	25	377
owner must repair settlement in surface ground	26	377
assessment must be paid.....	27	377
excess refunded to owner	27	377
plan of private drain must be approved	28	378
right of entry for inspection.....	28	378
notice to be given to engineer.....	29	378
work done without inspection defective.....	29	378
how junction pieces to be set.....	30	379
inside of drain.....	31	379
no work covered until inspected.....	32	380
permits may be revoked	33	380
when permits will be issued.....	34	380
rules for house drainage and plumbing.....	35	380
barry cleanouts.....	36	385

	SEC.	PAGE.
Sewers, exhaust from steam engine.....	37	386
final inspection and approval.....	38	386
penalty for violation.....	39	386
Sewer pipes, mechanic may be licensed to lay.....	58	271
Sexton, appointed by mayor with consent of council.....	1	125
may appoint deputy.....	20	129
registrar of deaths.....	1	387
keep record of all burials.....	1	387
have charge of cemetery and make improvements.....	2	388
empowered to sell lots.....	3	388
direct fencing and grading... .	4	388
compensation of.....	6	389
Sidewalks, under control of board of public works.....	16	144
contractors shall remove all obstructions.....	14	144
when must be swept.....	10	221
estimate of cost for improving.....	1	391
council may construct or repair.....	1	391
define boundaries of district.....	1	391
hear protests to improving.....	1	391
notice of intention to make improvement to be published	2	392
when improvement to be made.....	3	392
levying tax for.....	4	393
listing and assessing property.....	5	393
board of equalization and review.....	6	394
delinquent tax, notice of.....	7	394
when delinquent.....	7	394
how assessment collected.....	8	395
suspension of assessment for..	10	395
excess of tax to be refunded	11	396
sidewalk districts	12	397
openings in	13	399
cellarways or areas not to be constructed under sidewalk		
without permit.....	14	399
bond to be given.....	14	399
cellarways, size of.....	15	399
cellarways, protection of.....	15	399
coal holes, manner of covering	16	400
gratings in.....	17	400
cellarways not to be left open.....	18	400
repairs of cellar doors.....	19	401
penalty for failure to repair cellar door.....	19	401
obstructions to be removed from.....	20	401
penalty for violation of ordinance.....	20	402
driving on, penalty for.....	21	402
games on forbidden—penalty.....	22	402
provisions for canvas awnings.....	23	402

	SEC.	PAGE.
Sidewalks, permanent awnings.....	24	403
building inspector to approve awnings.....	25	403
signs on, forbidden.....	26	403
limit of bay window on.....	26	403
penalty for violation.....	27	404
carriage steps or platforms.....	28	404
weeds to be removed from.....	29	404
loafing on, forbidden.....	30	404
snow to be removed from.....	31	404
Slaughter-houses, prohibited within certain limits	1	406
record of animals to be kept	2	406
must be kept clean	3	406
health commissioner to inspect.....	4	406
penalty for violating ordinance.....	5	407
Slaughtering, in city, only with consent of, council	12	217
Sprinklers for lawns	15	498
Sprinkling districts.....	15	498
Sprinkling wagons.....	16	499
Streets, contract for lighting		228
council may levy assessment to grade.....	1	273
determine character of improvements of.....	1	273
hear objections to improvement of.....	1	273
notice must be published	2	274
form of notice.....	2	274
games on, forbidden.....	22	402
sprinkling of.....	1	407
names of.....	16	416
paving of.....	26	421
notice of paving or improving	27	422
tax for paving	29	423
contractors shall clean up.....	14	144
supervisor to repair.....	4	411
unlawful to break or dig up without permit.....	6	412
penalty for failure to restore.....	7	412
not to excavate without permit.....	8	413
building material not to be placed on without permit.....	10	413
board fence and plank walk shall be placed around build- ings under construction.....	11	414
stones, manure or garbage not to be dropped or thrown in	12	415
handbills not to be thrown in	13	415
hitching posts in.....	14	415
teams not to be left loose in.....	15	416
curbing and guttering.....	37	426
notice of intention to make improvement in.....	38	426
board of public works to supervise improvements in.....	39	427
levying tax for improvement of.....	40	428

	SEC.	PAGE.
Streets, assessor and collector to list and assess property for im-		
provement	41	428
equalization of assessment for improvement.....	42	428
notice to be given when tax becomes delinquent.....	43	429
manner of collecting tax....	44	429
curbing and guttering, when tax becomes delinquent for..	45	430
not to be used for sales or exhibitions	2	507
penalty for violation of ordinance.....	2	507
Street railway, franchise to Salt Lake City Railroad company...	1	434
franchise to Salt Lake City Railroad company.....	1	439
franchise to Salt Lake City Railroad company.....	1	440
franchise to Salt Lake City Railroad company.....	1	443
franchise to L. C. Hamilton.....	1	445
franchise to Salt Lake City Railroad company.....	1	449
franchise to Salt Lake City Railroad company.....	1	450
franchise to Salt Lake City Railroad company.....	1	453
franchise to Salt Lake Rapid Transit company.....	1	455
franchise to Salt Lake Rapid Transit company.....	1	459
franchise to Salt Lake Rapid Transit company.....	1	462
franchise to C. E. Wantland et al.....	1	465
franchise to Popperton Place and Fort Douglas Rapid		
Transit company	1	467
franchise to West Side Rapid Transit company.....	1	470
Street sprinkling, notice to be published.....	1	407
to be under direction of supervisor of streets.....	2	408
tax shall constitute a lien....	4	408
District No. 1, boundaries of.....	5	408
District No. 2, boundaries of.....	6	410
Sunday evening concerts, license may issue for.....	59	272
Sundry expense fund.....	1	475
Superintendent of waterworks, duties of.....	2	494
Supervisor of streets, shall direct performance of labor tax....	2	307
shall list names of persons liable to poll tax.....	3	307
cite persons to perform labor tax.....	4	308
collect delinquent tax by suit.....	5	308
pay moneys to treasurer	6	308
make annual report to council.....	7	309
penalty for failure to report.....	8	309
duties of	1	411
may appoint foremen.....	21	129
shall report quarterly.....	2	411
additional duties of.....	3	411
Sureties, on contractor's bond to justify... ..	18	145
who not accepted as	19	145

T

	SEC.	PAGE.
Taverns (see hotels).		
Tax, assessment and collection of.....	1	513
council may levy to grade streets, etc.....	1	273
objections to	1	273
notice of intention to be published.....	2	274
form of notice.....	2	274
council to apportion and assess cost.....	3	274
order levying	4	275
assessor shall list and assess property.....	5	275
make plat and locate improvement.....	5	275
list and plat open to inspection.....	5	275
recorder must publish notice	6	276
council to confirm.....	7	276
when due.....	7	276
to be collected as other taxes.....	8	276
disposition of money collected from.....	9	277
levy to construct or repair sewers.....	1	368
notice of intention to be given.....	3	369
form of notice.....	3	369
objections to improvement.....	4	369
ordinance levying.....	5	370
assessor shall list and assess property.....	6	370
when due and payable.....	6	370
levy to pave or repair streets.....	26	421
estimate of cost to be made.....	26	421
objections to improvement.....	26	421
notice of intention to be given.....	27	422
form of notice.	27	422
ordinance levying.....	29	423
plat and locate improvement.....	30	424
board of equalization.....	31	424
assessor to publish notice of delinquency.....	32	425
personal notice to be given taxpayer.....	33	425
when delinquent.....	34	425
Taxation, for municipal purposes.....	1	476
Telegraph, telephone and electric wires and poles.....	1	477
poles not to be erected without permit.....	1	477
application to erect.....	2	477
when permit not to issue.....	3	477
unlawful to erect in certain places.....	4	478
party erecting to give bond	5	478
street supervisor to direct construction.....	6	478
height and size of	7	478

	SEC.	PAGE.
Telegraph, telephone and electric wires and poles, poles to be		
peeled and painted.....	10	480
city may use.....	11	480
penalty for violation of ordinance.....	12	481
not to be placed near water pipes.....	21	500
Telephone poles, (see telegraph poles)	1	477
Treasurer, may appoint deputy.....	22	129
may appoint license inspector.....	22	129
custodian of city funds	1	482
shall report semi-annually	1	482
deputy	3	482
Trespass, penalty for.....	56	295

U

Unwholesome food, sale of prohibited	1	215
when calf, pig or lamb fit for slaughter.....	2	215
diseased cattle for food.....	3	215
deleterious food or drink.....	4	215
no putrid meat, fish or fowl to be sold.....	5	216
stalls must be kept clean.....	6	216
putrid meat to be confiscated.....	7	216
milk, butter and cheese kept for sale	8	216

V

Vacancies, in elective office, council to fill.....	1	483
Vagrancy, what constitutes.....	57	295
penalty for	57	295
Vehicles, license for passenger and other	33	263
drays must be numbered.....	34	264
regulating speed of.....	51	293
passenger carriers must be licensed.....	1	484
stands for	2	484
driver to remain near	3	484
fraud prohibited.....	4	485
drivers not to enter depot or car.....	5	485
disorderly conduct.....	6	485
must keep on stand.....	7	486
speed allowed	8	486
must keep to the right in passing.....	8	486
must be numbered.....	9	486
must have lamps	10	487
doors must have handle inside	10	487
fares	11	487

	SEC.	PAGE.
Vehicles, rate where no agreement.....	12	488
baggage carried by	13	488
rates to be posted in	14	488
excessive fare, penalty for taking	15	489
advance fare may be demanded	16	489
refusing to convey passenger, penalty for	17	489
driver must give number and owner	18	489
false representations, penalty for	19	489
refusal to pay fare, penalty for	20	490
stands, city marshal shall designate	21	490
stand for hotel-runner	22	490
penalty for violating ordinance.....	23	490

W

Wards, division and number of.....	1	491
First municipal ward, boundaries of.....	2	491
Second municipal ward, boundaries of.....	3	492
Third municipal ward, boundaries of.....	4	492
Fourth municipal ward, boundaries of.....	5	492
Fifth municipal ward, boundaries of.....	6	493
Water, vegetable substance not allowed in pipe.....	9	217
period of artificial irrigation.....	1	238
shall be apportioned by watermaster.....	2	238
ditches located by watermaster.....	3	238
substantial gate must be constructed.....	4	239
conveyance across lands.....	5	239
liability for negligence.....	5	239
right of way along ditches.....	6	240
conduct of surplus.....	7	240
appeal from apportionment of.....	9	240
penalty for wrongful diversion.....	8	241
public ditches defined.....	11	241
where public ditches may be crossed.....	12	241
bridges and flumes to be constructed.....	13	241
penalty for violation.....	14	241
agreement to acquire rights in Parley's cañon creek.....	1	244
stipulations of agreement for exchange of.....	1	245
city to maintain rights and make repairs.....	1	246
when rights shall revert.....	1	246
when agreement becomes void.....	1	247
provision for board of appeal.....	1	247
vacancy in board of appeal.....	1	248
Watermaster, may appoint foremen	23	129
shall apportion waters of city	2	238

	SEC.	PAGE.
Watermaster, issue certificates specifying time of use	2	238
locate, construct and repair water courses	3	238
keep record of location of gates, etc	3	238
record ownership of streams	3	238
direct construction of branch gates	4	239
shall report to council quarterly	10	241
- Waterworks, assessment to lay pipes or mains	1	273
objections to extension	1	273
notice to be published	2	274
form of notice	2	274
under control of council	1	494
rules relating to water supply	6	495
stop-cock and key box	7	496
quality of service pipe	8	496
permit to extend service pipe	8	496
fee for permit	8	496
taker only to use water	9	496
pipes to be kept in good repair	10	497
waste forbidden, penalty for	11	497
penalty for using water without paying	12	497
penalty for turning on	13	497
fountains and sprinklers not to be operated during fire ..	14	498
steam boilers not to be supplied from pipes direct	17	499
watering troughs, waste forbidden	18	499
superintendent to have free access	19	499
city not liable for stoppage of water	20	500
posts not to be set near watermains	22	500
water from ditch not to be used where mains are laid	22	500
assessment for water	23	500
notice to water taker	24	501
delinquent water taker	24	501
water rates	25	501
water rates to be paid in advance	25	501
meters	26	504
water not to be supplied to motors	27	504
sworn statement, assessor and collector of water rates may		
demand	28	504
no alteration in rates	29	505
penalty for violating ordinance	30	505
must connect with water system	31	505
health commissioner must analyze city water quarterly ..	36	506
penalty for violating ordinance	37	506
Weighmasters and weighing	1	507
duties of chief weighmaster	1	507
city weighmasters	5	508
- city weighmasters, duties of	6	508

	SEC.	PAGE.
Weighmasters and weighing, city weighmasters, must keep scales		
accurate.....	7	509
fees for weighing.....	8	510
penalty for exacting illegal fees.....	9	510
penalty for making false weight.....	10	510
when scales may be located in street.....	11	510
penalty for violating ordinance....	12	510
books to be examined by city auditor.....	13	510
Weights and measures, must be tested.....	3	367
penalty for using false.....	3	367
Wells, rules concerning.....	32	505
permit must be obtained to construct.....	35	506
penalty for violating ordinance.....	37	506
Wood, what constitutes a cord.....	4	508
penalty for fraud in the sale of.....	4	508

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